

CITY COUNCIL AGENDA
CITY COUNCIL MEETING OF: JUNE 2, 2004

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - AZIZ EDDEBBARH, CHAIRMAN MUSLIM PUBLIC AFFAIRS COUNCIL
- PLEDGE OF ALLEGIANCE

MINUTES:

PRESENT: MAYOR GOODMAN and COUNCILMEMBERS REESE, BROWN, WEEKLY (excused from the morning session until 9:08 a.m.), MACK, and MONCRIEF and Ward 2 seat vacant

Also Present: CITY MANAGER DOUG SELBY, DEPUTY CITY MANAGER STEVE HOUCHENS, DEPUTY CITY MANAGER BETSY FRETWELL, CITY ATTORNEY BRAD JERBIC, DEPUTY CITY ATTORNEY TOM GREEN, DEPUTY CITY ATTORNEY BRYAN SCOTT (P.M. Session), and CITY CLERK BARBARA JO RONEMUS

ANNOUNCEMENT MADE – Meeting noticed and posted at the following locations:

City Hall Plaza, Special Outside Posting Bulletin Board

Court Clerk's Office Bulletin Board, City Hall Plaza

Las Vegas Library, 833 Las Vegas Boulevard North

Clark County Government Center, 500 S. Grand Central Parkway

Grant Sawyer Building, 555 E. Washington Avenue

(9:04 – 9:05)

1-1

CHAIRMAN AZIZ EDDEBBARH, Muslim Public Affairs Council, gave the invocation.

(9:05 – 9:07)

1-21

MAYOR GOODMAN led the audience in the Pledge.

(9:07 – 9:08)

1-86

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF SENIOR OF THE QUARTER

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Submitted at meeting: copy of Betty Clark Senior of the Quarter certificate

MOTION:

None required. A presentation was made.

MINUTES:

MAYOR GOODMAN called forward HAZEL GERAN, a member of the Senior Citizens Advisory Board, who recognized BETTY CLARK as June's Senior of the Quarter. MS. CLARK was nominated by the Economic Opportunity Board Senior Center, where she has been volunteering since 1984, for her outstanding commitment to helping others. She works countless hours each month decorating the center with different themes for various occasions and activities. She congratulated MS. CLARK for enhancing the lives of the seniors at this center and for making Las Vegas a better place to live.

MS. CLARK thanked the Council and the members of the Senior Citizens Advisory Board for this recognition, which was a big surprise to her. She said that when she retired from teaching, she had to keep busy.

(9:08 – 9:11)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

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CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF PARAMEDIC RANDY FARR

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Submitted at meeting: copy of Proclamation declaring 6/2/2004 as Randy Farr Day

MOTION:

None required. A presentation was made.

MINUTES:

COUNCILWOMAN MONCRIEF called forward CHIEF DAVID WASHINGTON, DEPUTY CHIEF GREG GAMMON, BATTALION CHIEF LAWRENCE WITCLIFF, and CAPTAIN JOHN LESTER of Las Vegas Fire and Rescue to partake in the recognition of PARAMEDIC RANDY FARR for his heroic actions. She also acknowledged the paramedics and firefighters of Station #10 in the audience.

COUNCILWOMAN MONCRIEF then explained that MR. FARR went above and beyond the call of duty when at a recent incident he took control of a situation by grabbing a gun in the hands of a victim shooting wildly at the rescue personnel and others in the vicinity. MR. FARR placed the safety of his crew and the community above his own. As a result of his actions, no one was seriously injured. With honor, COUNCILWOMAN MONCRIEF presented MR. FARR with the City's Medal of Honor, and then proclaimed 6/2/2004 as Randy Farr Day.

MR. FARR gave thanks to the Council, his chiefs, and his crew. He indicated that any member of the Fire and Rescue Department would have done the same thing if put in the same position. He felt greatly honored for this recognition.

City of Las Vegas

CITY COUNCIL MEETING OF JUNE 2, 2004

Ceremonial

Recognition of Paramedic Randy Farr

MINUTES – Continued:

CHIEF WASHINGTON expressed his gratitude to the Council for recognizing a member of his staff, because they put their lives at risk everyday. He thanked MR. FARR for his service to the City.

(9:11 – 9:16)

1-230

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

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CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF PORCELAIN ART MONTH

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Submitted at meeting: copy of Proclamation declaring June 2004 as Porcelain Art Recognition Month

MOTION:

None required. A presentation was made.

MINUTES:

MAYOR GOODMAN called forward CHRISTINE FILPI, President; NINA BRADY, Past President; and PAT HAACK, Secretary; to recognize June as Porcelain Art Month. Porcelain is an art form that requires great skill and training and is practiced by thousands of talented Americans. On a local level, the Las Vegas Porcelain Art Guild is dedicated to developing a better understanding and appreciation of porcelain art. This group has had great success and recently held its second annual exhibit at the Rainbow Library.

MS. FILPI and MS. BRADY thanked the Mayor for supporting the arts. MS. FILPI invited him to the upcoming exhibition at the Rainbow Library. MS. BRADY presented the Mayor with a gift box, which included a porcelain Menorah. MAYOR GOODMAN noted that, given the increasing number of people that attend the First Friday gatherings at the Arts District, Las Vegas is changing in its appreciation for the arts.

(9:16 – 9:20)

1-359

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

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CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF ASSOCIATED GENERAL CONTRACTORS, NEVADA CHAPTER

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Submitted at meeting: Proclamation recognizing the Associated General Contractors Las Vegas Chapter

MOTION:

None required. A presentation was made.

MINUTES:

COUNCILMAN MACK called forward LEO DURANT, President, Associated General Contractors, who was very instrumental in the recent major cleanup, which is the second cleanup held in Ward 6. COUNCILMAN MACK expressed his appreciation to the Associated General Contractors for their civic-mindedness. MR. DURANT said that he is looking forward to the next cleanup.

(9:20 – 9:22)

1-494

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

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CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF RITES OF PASSAGE PROGRAM GRADUATES

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

MOTION:

None required. A presentation was made.

MINUTES:

COUNCILMAN WEEKLY called forward DR. MARCIA ROBINSON of the West Las Vegas Cultural Arts Center, and JANI JEPPE for this presentation. DR. BARBARA JACKSON also came forward. COUNCILMAN WEEKLY was pleased to recognize the Rites of Passage Program Graduates. These young men attended this program for about six weeks.

At the request of MR. JEPPE, the youth recited their responsibilities, obligations, and knowledge of selves. MR. JEPPE then invited the Council to attend the 2004 graduation ceremony, on Saturday, June 5, 2004, at 2:00 p.m., at the West Las Vegas Theatre. He expressed how honored he felt to tutor this group of young men.

COUNCILMEN WEEKLY congratulated each of the young men and presented them with a Certificate of Appreciation. Lastly, he noted that it really does take an entire village to raise a child.

(9:22 – 9:27)

1-560

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

BUSINESS ITEMS:

Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MOTION:

REESE – Motion to bring forward and STRIKE Items 48 and 54 and accept WITHDRAWAL of Item 50 – UNANIMOUS with Ward 2 seat vacant

MINUTES:

COUNCILMAN MACK asked RICHARD GOECKE, Director of Public Works, why staff was requesting Item 54 to be stricken. CITY ATTORNEY JERBIC responded that the item is regarding a Special Improvement District that involves a lawsuit that was filed at the last minute. As a result of disclosure requirements, staff is removing it from the agenda until the matter is resolved.

(9:27 – 9:29)

1-927

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

BUSINESS ITEMS:

Discussion and possible action to adjust the City Manager's compensation (**NOTE: To be trailed until the Afternoon Session, following the Closed Session**)

Fiscal Impact

<input type="checkbox"/>	No Impact	Amount: To be determined
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division: City Manager
<input type="checkbox"/>	Augmentation Required	Funding Source: General Fund

PURPOSE/BACKGROUND:

Yearly performance and compensation review of the City Manager

RECOMMENDATION:

BACKUP DOCUMENTATION:

Notice of closed personnel session which has been scheduled to precede the action item

MOTION:

GOODMAN – APPROVED a 5% merit increase – UNANIMOUS with Ward 2 seat vacant

MINUTES:

MAYOR GOODMAN stated that during the noon recess, the Council had an executive session to consider a compensation adjustment for CITY MANAGER SELBY. The City Management Team achievements for Fiscal Year 2003-2004 and CITY MANAGER SELBY'S vision for the City were discussed during that session. MAYOR GOODMAN thanked CITY MANAGER SELBY for his leadership, commitment, honesty and integrity.

CITY MANAGER SELBY thanked the Council for its support.

(1:08 – 1:10)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

BUSINESS ITEMS:

Discussion and possible action to adjust the City Attorney's compensation (**NOTE: To be trailed until the Afternoon Session, following the Closed Session**)

Fiscal Impact

<input type="checkbox"/>	No Impact	Amount: To be determined
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division: City Attorney
<input type="checkbox"/>	Augmentation Required	Funding Source: General Fund

PURPOSE/BACKGROUND:

Yearly performance and compensation review of the City Attorney

RECOMMENDATION:

BACKUP DOCUMENTATION:

Notice of closed personnel session which has been scheduled to precede the action item

MOTION:

GOODMAN – APPROVED a 5% merit increase – UNANIMOUS with Ward 2 seat vacant

MINUTES:

MAYOR GOODMAN explained that CITY ATTORNEY JERBIC has been an exceptional City Attorney. He is available twenty-four hours a day, seven days a week and his advice has been prudent. He has represented the City well, and his staff works very hard. MAYOR GOODMAN acknowledged CITY ATTORNEY JERBIC could be better compensated in the private sector; however, he chooses to work at the City of Las Vegas because he loves it.

(1:10 – 1:11)

3-137

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

BUSINESS ITEMS:

Discussion and possible action to adjust the City Auditor's compensation (**NOTE: To be trailed until the Afternoon Session, following the Closed Session**)

Fiscal Impact

<input type="checkbox"/>	No Impact	Amount: To be determined
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division: City Audit
<input type="checkbox"/>	Augmentation Required	Funding Source: General Fund

PURPOSE/BACKGROUND:

Yearly performance and compensation review of the City Auditor

RECOMMENDATION:

BACKUP DOCUMENTATION:

Notice of closed personnel session which has been scheduled to precede the action item

MOTION:

GOODMAN – APPROVED a 5% merit increase – UNANIMOUS with Ward 2 seat vacant

MINUTES:

MAYOR GOODMAN explained CITY AUDITOR RADFORD SNELDING has been a welcome addition to the City of Las Vegas, making a real difference in how the City looks at itself. As the internal auditor, his responsibility is to go into departments to review policies and procedures and then make sure changes are implemented. He is responsible for establishing the City's no tolerance fraud policy and for making sure the taxpayers get the most value for their dollars.

(1:11 – 1:14)

3-188

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

Fiscal Impact☐**No Impact****Amount:** \$46,863,720.85☒**Budget Funds Available****Dept./Division:** Accounting Operations☐**Augmentation Required****Funding Source:** All Funds**PURPOSE/BACKGROUND:**

In compliance with the City's Municipal Code, Chapter 4.12, this is an informational item that provides the dollar amount of disbursements processed by the Finance and Business Services Department.

RECOMMENDATION:**BACKUP DOCUMENTATION:**

Summary of cash expenditures for the period 05/01/04 - 05/15/04

Total Services and Materials Checks	\$	13,119,043.32
Total Payroll Checks	\$	5,417,179.42
Total Wire Transfers	\$	28,327,498.11

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

NOTE: COUNCILMAN MACK disclosed for Items 40 and 45, which involve the expansion of City Hall, that his brother-in-law, ANDREW DONNER, has a contract with the Lady Luck Casino related to its non-restricted gaming license. Also, a SuperPawn shop owned by his brother, STEVEN MACK, for whom he does consulting, is near the location involved in Item 44. Since COUNCILMAN MACK did not believe that his relatives would be impacted by the actions taken on the aforementioned items, and they have not approached him on these items, he felt comfortable voting on them.

MINUTES:

COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Ownership, Location and Business Name for a Tavern License and a new Restricted Gaming License for 15 slots subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: Danmark, Inc., dba Golden Eagle Bar & Grill, 2202 Paradise Road (Non-operational), Joseph S. Kludjian, Dir, Pres, Secy, Treas, 100%, Judy F. Lindblad, Mgr, Charles W. Lum, Mgr, To: B-W Investments, LLC, dba Buffalo Wild Wings Grill and Bar, 6640 North Durango Drive, Suite 110, William M. Welter, Mmbr, Mgr, 50%, Dennis J. Kozlowski, Mmbr, Mgr, 25%, JSB Investments, LLC, Mmbr, Mgr, 25%, John S. Beuchat, Mgr, John Beuchat Living Trust 1992, Mmbr, 100%, John S. Beuchat, Trustee - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Ownership, Location and Business Name for a Tavern License and a new Restricted Gaming License for 15 slots

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Ownership for a Beer/Wine/Cooler Off-sale License and a new Restricted Gaming License for 7 slots subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: Sam E. Hamika, Sam E. Hamika, 100%, To: Thamer Jarjees, dba Vegas Market #3, 6711 West Alexander Road, #103-104, Thamer Jarjees, 100% - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Ownership for a Beer/Wine/Cooler Off-sale License and a new Restricted Gaming License for 7 slots

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Ownership, Location and Business Name for a Tavern License and a new Restricted Gaming License for 15 slots subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission, From: Cavalier, Inc., dba Junkyard Lounge, 2327 South Eastern Avenue, Adam B. Corrigan, Dir, Pres, Secy, Treas, 100%, To: Canyon Pointe Investments, Inc., dba Agave Mexican Restaurant, 10820 West Charleston Boulevard, Michael F. Corrigan, Dir, Pres, Secy, 50%, Sean P. Corrigan, Treas, 50% - Ward 2 (Vacant)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Ownership, Location and Business Name for a Tavern License and a new Restricted Gaming License for 15 slots

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes, Health Dept. regulations and confirmation of approval by the Nevada Gaming Commission

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Business Name for a Beer/Wine/Cooler Off-sale License and a new Restricted Gaming License for 4 slots, Corwin & Corwin, dba From: Lakes Texaco, To: Lakes Market, 7790 West Sahara Avenue, Steven C. Corwin and Barbara L. Corwin, 100% jointly as husband and wife - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Business Name for a Beer/Wine/Cooler Off-sale License and a new Restricted Gaming License for 4 slots

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Restricted Gaming License for 7 slots subject to confirmation of approval by the Nevada Gaming Commission, Saman Enterprises LLC, dba Hot Spot, 4708 West Charleston Boulevard, Raida M. Shieban, Mgr, 100% - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Restricted Gaming License for 7 slots

RECOMMENDATION:

Recommend approval subject to confirmation of approval by the Nevada Gaming Commission

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – **UNANIMOUS** with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 4 slots subject to confirmation of approval by the Nevada Gaming Commission, Green Valley Gaming, db at Lucky Mart, 823 East Ogden Avenue - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 4 slots

RECOMMENDATION:

Recommend approval subject to confirmation of approval by the Nevada Gaming Commission

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – **UNANIMOUS** with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 7 slots subject to confirmation of approval by the Nevada Gaming Commission, United Coin Machine Company, db at Lucky Champ, 4030 West Charleston Boulevard - Ward 1 (Moncrief)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Slot Operator Space Lease Location Restricted Gaming License for 7 slots

RECOMMENDATION:

Recommend approval subject to confirmation of approval by the Nevada Gaming Commission

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – **UNANIMOUS** with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of award of Bid No. 040268-DAR, Annual Requirements Contract for Gasoline and Diesel Fuel - Department of Field Operations - Award recommended to: HAYCOCK PETROLEUM CO. (Estimated annual amount \$1,200,000 - Automotive Services Internal Service Fund)

Fiscal Impact

☐

No Impact

Amount: \$1,200,000

☒

Budget Funds Available

Dept./Division: Field Operations

☐

Augmentation Required

Funding Source: Automotive Services ISF

PURPOSE/BACKGROUND:

This is an annual requirements contract for the delivery of gasoline and diesel fuel to various City of Las Vegas fuel sites.

PCC: D. Rawski

POC: John Saxon - (702) 382-1620

RECOMMENDATION:

That the City Council approve the award of Bid No. 040268-DAR, Annual Requirements Contract for Gasoline and Diesel Fuel to Haycock Petroleum Co. in the estimated annual amount of \$1,200,000 from July 1, 2004 through June 30, 2005, with four (4) one-year renewal options.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval to use the Las Vegas Valley Water District Bid No. 1044-03, for an annual requirements contract for Biodiesel - Department of Field Operations - Award recommended to: HAYCOCK PETROLEUM CO (Estimated annual amount of \$350,000 - Automotive Services Internal Service Fund)

Fiscal Impact

☐

No Impact

Amount: \$350,000

☒

Budget Funds Available

Dept./Division: Field Operations

☐

Augmentation Required

Funding Source: Automotive Services ISF

PURPOSE/BACKGROUND:

On February 17, 2004, the Las Vegas Valley Water District approved the award of Bid No. 1004-03 for an annual requirements contract for biodiesel blend fuel.

This purchase is exempt from the competitive bidding process pursuant to NRS 332.195, which allows local governments to use the contracts of other local governments.

PCC: D. Rawski

POC: Gary Weinberg - (702) 382-8559

CFN: 040286-DAR

RECOMMENDATION:

That the City Council approve the use of Las Vegas Valley Water District Bid No. 1044-03 for an annual requirements contract for biodiesel blend fuel to Haycock Petroleum Co. in the estimated annual amount of \$350,000 from July 1, 2004 through June 30, 2005, with four (4) one-year renewal options.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of award of Contract No. 040338, State Legislative Consulting Services (2 year contract) - Office of Administrative Services - Award recommended to: OSTROVSKY AND ASSOCIATES (\$330,000 - General Fund)

Fiscal Impact☐**No Impact****Amount:** \$330,000☒**Budget Funds Available****Dept./Division:** Administrative Services☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

Ostrovsky & Associates, with subcontractor Knight Consulting, has been providing expert advice, analysis, strategic planning and legislative advocacy for the last two years. This contract provides for two additional years of service, an intern/technician to assist with research/support, and optional support (in lieu of full City staff). Amount includes \$225,000 - basic services, \$60,000 - optional services, and \$45,000 - reimbursable expenses including intern/technician.

This item is exempt from competitive bidding pursuant to 332.115.1(b).

PCC: L. Russell

POC: Bob Ostrovsky - (702) 951-2158

RECOMMENDATION:

That the City Council approve the award of Contract No. 040338 for State Legislative Consulting Services to Ostrovsky and Associates for the period July 1, 2004 through June 30, 2006 for \$330,000. Authority to execute the Contract is given to Purchasing Manager per R-88-2004.

BACKUP DOCUMENTATION:

Certificate - Disclosure of Ownership/Principals

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of issuance of a purchase order for 15 auto-pulse resuscitation systems - Department of Fire and Rescue - Award recommended to: REVIVANT CORPORATION (\$192,096.78 - Fire Services Public Education Special Revenue Fund)

Fiscal Impact

☐

No Impact

Amount: \$192,096.78

☒

Budget Funds Available

Dept./Division: Fire and Rescue

☐

Augmentation Required

Funding Source: Fire Services Public Education SRF

PURPOSE/BACKGROUND:

This request provides for the purchase of 15 auto-pulse resuscitation systems. These devices are able to maintain constant cardio-pulmonary chest compressions without the aid of human intervention. These devices will also allow the transport of patients without one or more paramedics attempting to perform chest compressions.

This purchase is exempt from the competitive bidding process pursuant to NRS 332.115.1(d).

PCC: K. Falline

POC: Susan Gagnier - (408) 524-3500, ext. 354

CFN: 040287-KF

RECOMMENDATION:

That the City Council approve the issuance of a purchase order for 15 auto-pulse resuscitation systems to Revivant Corporation in the amount of \$192,096.78.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of revision to purchase order 215417 for inmate linen and uniform service - Department of Detention and Enforcement - Award to: NEVADA LINEN SUPPLY (\$100,000 - General Fund)

Fiscal Impact☐**No Impact****Amount:** \$100,000☒**Budget Funds Available****Dept./Division:** Detention and Enforcement☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

City Council approved an annual requirements contract for inmate linen and uniform service through September 30, 2002, with three annual options to renew in the estimated annual amount of \$325,000. Due to increased inmate population, this revision will add an additional \$100,000 to the purchase order, for a revised total annual amount of \$425,000 to cover expenditures through the expiration of the purchase order. The increased cost is offset by the increased revenue from bed rentals to accommodate Clark County and Federal inmates.

PCC: G. Leaf

POC: Steve Stith - (702) 454-1444

RECOMMENDATION:

That the City Council approve the issuance of revision to purchase order 215417 for inmate linen and uniform service to Nevada Linen Supply to add an additional \$100,000, for a total revised estimated annual amount of \$425,000, effective through September 30, 2004.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – **UNANIMOUS** with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of revision to purchase order 214815 for Emergency Medical Services (EMS) Transport Claims Processing, Filing and Management - Department of Fire and Rescue - Award to: MEDICLAIMS, INC. (\$60,000 - General Fund)

Fiscal Impact

☐

No Impact

Amount: \$60,000

☒

Budget Funds Available

Dept./Division: Fire and Rescue

☐

Augmentation Required

Funding Source: General Fund

PURPOSE/BACKGROUND:

This revision will add an additional \$60,000, for a revised total amount of \$235,000, to the purchase order to allow sufficient funds to complete closeout of the current contract and the transition to the new service provider.

PCC: K. Falline

POC: Leslea J. Adams - (580) 762-2299

RECOMMENDATION:

That the City Council approve revision to purchase order 214815 for EMS Transport Claims Processing, Filing and Management to Mediciclaims, Inc. in the amount of \$60,000 for a revised total amount of \$235,000.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of award of Bid No. 040308-DAR, Annual Requirements Contract for Welding Supplies and Gases - Various Departments - Award recommended to: NEVADA COMPRESSED GAS (Estimated annual amount of \$50,000 - Various Funds)

Fiscal Impact

☐

No Impact

Amount: \$50,000

☒

Budget Funds Available

Dept./Division: Various

☐

Augmentation Required

Funding Source: Various

PURPOSE/BACKGROUND:

This is an annual requirements contract for welding supplies and gases for use by various departments and divisions within the City.

PCC: D. Rawski

POC: Robert J. Guidotti - (702) 382-2334

RECOMMENDATION:

That the City Council approve the award of Bid No. 040308-DAR, Annual Requirements Contract for Welding Supplies and Gases to Nevada Compressed Gas in the estimated annual amount of \$50,000 from July 1, 2004 through June 30, 2005, with four (4) one-year renewal options.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Contract No. 040285 for GIS Software Development and Application Services Agreement - Department of Planning and Development - Award recommended to: GIS PLANNING (\$43,000 - General Fund and Industrial Development Special Revenue Fund)

Fiscal Impact

☐

No Impact

Amount: \$43,000

☒

Budget Funds Available

Dept./Division: Planning and Development

☐

Augmentation Required

Funding Source: General Fund and Industrial Development SRF

PURPOSE/BACKGROUND:

The software and application services will provide for online public access to an internet-based commercial property database system with GIS mapping and demographic features, including property queries and reports, demographic and drive-time analysis, and dynamic mapping.

This purchase is exempt from the competitive bidding process pursuant to NRS 332.115.1(h), software for computers.

PCC: L. Wheeler

POC: Mario Ubalde - (415) 294-4772

RECOMMENDATION:

That the City Council approve Contract No. 040285 for GIS Software Development and Application Services to GIS Planning in the estimated amount of \$43,000 with annual renewals as long as the bidding exception applies. Authority to execute contract is given to the Purchasing Manager per R-88-2004.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of revision to purchase order 219246 for mounting hardware and installation for pen-based computers - Department of Fire and Rescue - Award to: MOBILE MOUNTING SOLUTIONS, INC. (\$10,290 - Fire Services Capital Projects Fund)

Fiscal Impact

☐

No Impact

Amount: \$10,290

☒

Budget Funds Available

Dept./Division: Fire and Rescue

☐

Augmentation Required

Funding Source: Fire Services CPF

PURPOSE/BACKGROUND:

On November 13, 2003 a purchase order was issued for 23 mounting hardware and installation kits. This revision is being written to add funding for an additional 30 mounting hardware and installation kits as well as the actual installation of the hardware. These units are used for pen-based computers utilized for patient reporting.

This purchase is exempt from the competitive bidding process pursuant to NRS 332.115.1(g), hardware and associated peripheral equipment and devices for computers.

PCC: K. Falline

POC: Larry Alexander - (972) 529-6032

RECOMMENDATION:

That the City Council approve the issuance of revision to purchase order 219246 for mounting hardware and installation for pen-based computers to Mobile Mounting Solutions, Inc. to add an additional \$10,290, for a revised total of \$27,257.50.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Declaration of Utilization from the Bureau of Land Management for a portion of the Southwest Quarter of Section 12, Township 20 South, Range 59 East, Mount Diablo Meridian, for roadway, sanitary sewer and drainage purposes generally located on the south side of Gowan Road, west of the Clark County Beltway, APN 137-12-301-007 – Ward 4 (Brown)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – **UNANIMOUS** with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Declaration of Utilization from the Bureau of Land Management for a portion of the Southeast Quarter of Section 18, Township 19 South, Range 60 East, Mount Diablo Meridian, for roadway, sanitary sewer and drainage purposes generally located on the south side of Solar Lane and the north side of Elkhorn Road, east of Chieftain Street, APN 125-18-801-015 – Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Professional Services Agreement with Parsons Transportation Group, Inc. for Construction Management Services on the I-15 Freeway Channel - Charleston Lateral Extension project (\$350,000 - Clark County Regional Flood Control District) - Wards 1 and 5 (Moncrief and Weekly)

Fiscal Impact

☐

No Impact

Amount: \$350,000

☒

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source: Clark County Regional Flood Control District

PURPOSE/BACKGROUND:

This project is for construction of an extension to the flood control facilities for the I-15 Freeway Channel, consisting of the Charleston Lateral Extension which includes the construction of lateral systems at Charleston Boulevard and Rancho Lane. The improvements will primarily consist of, but are not limited to, the following major items of work: single pre-cast box culvert, lateral storm piping, drop inlets, sanitary sewer piping, and de-watering for the construction of the improvements.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Professional Services Agreement

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – **UNANIMOUS** with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Interlocal Agreement No. 110059 between the City of Las Vegas and Las Vegas Valley Water District for the Grand Montecito Parkway Improvements (Centennial Parkway to Elkhorn Road) Special Improvement District No. 1502 - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Interlocal Agreement No.110059 allows the City of Las Vegas to modify existing water facilities, install new water facilities, and remove obsolete water facilities as necessary to complete construction of the subject project.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Interlocal Agreement No. 110059

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Interlocal Agreement No. 110058 between the City of Las Vegas and Las Vegas Valley Water District for construction and funding of water facilities as part of the Vegas Drive Storm Drain Improvements Project (Rancho Road to I-15) - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Interlocal Agreement #110058 allows the City of Las Vegas to modify existing water facilities, install new water facilities, and remove obsolete water facilities as necessary to complete construction of the subject project.

RECOMMENDATION:

Approval.

BACKUP DOCUMENTATION:

Interlocal Agreement No. 110058

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Encroachment Request from Paul Wagner on behalf of Nevada Homes Group, Incorporated, owner (southeast corner of Durango Drive and Ackerman Avenue) - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed encroachment shall consist of an approximate 5' wide area of landscaping on the east side of Durango Drive south of Ackerman Avenue extending approximately 70' along the property line consisting of trees, shrubs, ground cover, and an irrigation for the proposed Day Dawn Crossing subdivision. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability, and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Copy of Encroachment Exhibit "A" (southeast corner of Durango Drive and Ackerman Avenue)
2. Copy of Encroachment Exhibit "B" (Durango Drive typical section)

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Encroachment Request from CVL Consultants, Incorporated, on behalf of R & S El Capitan, LLC, owner (southeast corner of Racel Street and Durango Drive) - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed encroachment shall consist of an approximate 10' wide area of landscaping on the south side of Racel Street and Durango Drive extending approximately 915' eastward from Durango Drive and an approximate 5' wide area of landscaping on the east side of Durango Drive extending approximately 477' southward from Racel Street consisting of trees, shrubs, ground cover, and an irrigation system for the proposed Santa Bella 4 subdivision. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability, and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Encroachment Request from Taney Engineering on behalf of Distinctive Homes Taos Estates III, owner (Rio Vista Street between Azure Drive and Regena Avenue) - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed encroachment shall consist of an approximate 5' wide area of landscaping on the west side of Rio Vista Street between Azure Drive and Regena Avenue consisting of trees, shrubs, ground cover, and an irrigation system for the proposed Taos Estates III subdivision. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability, and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Copy of Encroachment Exhibit "A" (Rio Vista Street between Azure Drive and Regena Avenue)

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Chad and Crystal P. Hirschi, owners (southwest corner of Deer Springs Way and Tioga Way, APN 125-22-301-002) - County (near Ward 6 - Mack)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This request is to connect a single family dwelling located at the southwest corner of Deer Springs Way and Tioga Way. The owners propose to connect to the 8" sewer line located in Deer Springs Way. The Planning Department has determined the project does conform to the City's General Plan for the area; there is sufficient capacity in the City Sanitary Sewer. The applicants have signed a "Sewer Connection Agreement." This property is within the Clark County Interlocal Annexation Exceptions area and cannot be annexed to the City.

RECOMMENDATION:

Public Works recommends approval subject to conformance with all City codes and departmental standards and off-site improvements.

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Baughman and Turner on behalf of Quencia Inc., owner (northeast corner of Jensen Street and Dorrell Lane, APN 125-19-102-011 and 125-19-102-012) - County (near Ward 6 - Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This request is to connect 16 single family dwellings located on the northeast corner of Jensen Street and Dorrell Lane. The owner proposes to extend and connect to the public sewer line in Deer Springs Way from Haley Avenue. The Planning Department has determined the project does conform to the City's General Plan for the area. The applicant has signed a "Sewer Connection Agreement." This property is within the Clark County Interlocal Annexation Exceptions area and cannot be annexed to the City.

RECOMMENDATION:

Public Works recommends approval subject to conformance with all City codes and departmental standards and off-site improvements.

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Sewer Connection and Interlocal Contract with Clark County Water Reclamation District - Richard Miller, owner (north of Florine Avenue on Cimarron Road, APN 138-04-404-004) - County (near Ward 4 - Brown)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This request is to connect a single family dwelling located north of Florene Avenue on Cimarron Road. The owner proposes to connect to the 8" City sewer line located in Cimarron Road. The Planning Department has determined the project does conform to the City's General Plan for the area. The applicant has signed a "Sewer Connection Agreement." This property is within the Clark County Interlocal Annexation Exceptions area and cannot be annexed to the City.

RECOMMENDATION:

Public Works recommends approval subject to conformance with all City codes and departmental standards and off-site improvements.

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Third Amendment to a Professional Services Agreement with Stantec Consulting Inc. for additional design services for Deer Springs Park located at Elkhorn Road and Buffalo Drive (\$10,200 - Parks Capital Improvement Project Fund) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$10,200

☒

Budget Funds Available

Dept./Division: Public Works/Eng. Integration

☐

Augmentation Required

Funding Source: Parks Capital Improvement Project Fund

PURPOSE/BACKGROUND:

Since entering into the original Agreement of April 18, 2001, the City of Las Vegas desires to modify the services of Stantec Consulting Inc. to complete the Contractor's Phase One submittal of construction Record Drawings.

RECOMMENDATION:

That the City Council approve the Third Amendment to a Professional Services Agreement with Stantec Consulting Inc., for additional design services to complete the Contractors Phase One Record Drawings in the amount of \$ 10,200.

BACKUP DOCUMENTATION:

Third Amendment

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a Cooperative Agreement for the Las Vegas Freeway and Arterial System of Transportation (FAST) between the State of Nevada, Clark County, the Cities of Henderson, Las Vegas, North Las Vegas, and the Regional Transportation Commission of Southern Nevada, transferring the Role of Central Administrator from the City of Las Vegas to the Regional Transportation Commission of Southern Nevada - All Wards

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works/Traffic Eng☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

On April 15, 2003 the City Council approved an amendment to the Cooperative Agreement incorporating the Las Vegas Area Traffic System (LVACTS) and the NDOT Freeway Management System into the Freeway Arterial System of Transporations (FAST). This proposed amendment will transfer Central Administrator and funding responsibilities to the Regional Transportation Commission (RTC). The FAST staff will now become RTC employees. The Operations Management Committee (OMC), consisting of the Director of Public Works for each member agency, will continue to have operations oversight over FAST.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Cooperative Agreement for the Las Vegas Freeway and Arterial System of Transportation

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-91-2004 - Approval of a Resolution directing the City Treasurer to prepare the Sixty-First Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (Vacant)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Granada At Summerlin - Unit 2.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-91-2004

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – **UNANIMOUS** with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-92-2004 - Approval of a Resolution approving the Sixty-First Assessment Lien Apportionment Report for Special Improvement District No. 808 - Summerlin Area (Levy Assessments) - Ward 2 (Vacant)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Granada At Summerlin - Unit 2.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-92-2004

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – **UNANIMOUS** with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-93-2004 - Approval of a Resolution directing the City Treasurer to prepare the Twelfth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (Vacant)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Granada At Summerlin - Unit 2.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-93-2004

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – **UNANIMOUS** with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-94-2004 - Approval of a Resolution approving the Twelfth Assessment Lien Apportionment Report for Special Improvement District No. 809 - Summerlin Area (Levy Assessments) - Ward 2 (Vacant)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Acquisition, construction and installation of streets, sanitary sewer, storm sewers, and water main projects. Parcel is located in Granada At Summerlin - Unit 2.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-94-2004

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – **UNANIMOUS** with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-95-2004 - Approval of a Resolution Disposing of the Protests made at the Hearing on the Provisional Order for Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) -Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The construction and installation of pavement, "L" type curb and gutter, sidewalk, driveway approaches, water laterals and mains, sewer laterals and mains, and streetlights. The cost of the SID is estimated to be \$646,166.67.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-95-2004

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – **UNANIMOUS** with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

ABEYANCE ITEM - Approval to negotiate purchase and/or initiate condemnation of APNs 139-34-512-002 and - 003 located at 321 and 329 North Las Vegas Boulevard, APN 139-34-512-015 located at 512 East Mesquite Avenue and APNs 139-34-512-016 and -017 located at 409 North 6th Street and 405 North 6th Street for right-of-way and City Hall Expansion purposes - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The City is currently in design work for expansion of the City Hall Expansion. The City will need to acquire these properties for this purpose.

RECOMMENDATION:

The 6/1/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Site map

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

NOTE: Under Item 5, COUNCILMAN MACK disclosed for Items 40 and 45, which involve the expansion of City Hall, that his brother-in-law, ANDREW DONNER, has a contract with the Lady Luck Casino related to its non-restricted gaming license. Also, a SuperPawn shop owned by his brother, STEVEN MACK, for whom he does consulting, is near the location involved in Item 44. Since COUNCILMAN MACK did not believe that his relatives would be impacted by the actions taken on the aforementioned items, and they have not approached him on these items, he felt comfortable voting on them.

MINUTES:

Under Item 5, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of an Easement and Rights-of-Way between the City of Las Vegas and the Las Vegas Valley Water District for the purposes of providing a fire hydrant to service the Water Pollution Control Facility located at 6005 East Vegas Valley Drive, APN 161-10-401-004 - County (Near Ward 3 - Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

In order to have a fire hydrant to service the site, the City is required to grant an Easement and Rights-of-Way to Las Vegas Valley Water District for construction of the fire hydrant and appurtenances.

RECOMMENDATION:

The 6/1/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Easement and Rights-of-Way

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

Under Item 5, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of an Easement and Rights-of-Way between the City of Las Vegas and the Las Vegas Valley Water District for the purpose of construction, operation, maintenance, repair, renewal, reconstruction and removal of water lines and appurtenances to service the Water Pollution Control Facility located at 6005 East Vegas Valley Drive, APN 161-10-401-004 - County (Near Ward 3 - Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

In order to have water lines and appurtenance(s) to service the site, the City is required to grant an Easement and Rights-of-Way to the Water District for construction of the water lines and appurtenance(s).

RECOMMENDATION:

The 6/1/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Easement and Rights-of-Way

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

Under Item 5, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of a Letter of Agreement between the City of Las Vegas and Jim Marsh for the City's purchase of 16,700 square feet of land near the northwest corner of Tropical Parkway and Durango Drive (\$196,881.21 plus closing costs - Parks) - Ward 6 (Mack)

Fiscal Impact☐**No Impact****Amount:** \$196,881.21 plus closing cost☒**Budget Funds Available****Dept./Division:** Public Works/Real Estate☐**Augmentation Required****Funding Source:** Parks**PURPOSE/BACKGROUND:**

The City is currently in design work for a park complex in cooperation with the Vocational High School. This property is a remnant piece of property that will be left over after the streets are constructed for the realignment of Durango Drive. The remnant piece joins the park complex property and is needed for the future project.

RECOMMENDATION:

The 6/1/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

1. Letter of Agreement
2. Clarifying Exhibit to Legal Description

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

Under Item 5, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE -Councilman Weekly and Councilwoman Moncrief

Approval of an Easement and Rights-of-Way between the City of Las Vegas and the Las Vegas Valley Water District for the purpose of construction, operation, maintenance, repair, renewal, reconstruction and removal of water lines and appurtenances on APN 138-28-301-005 to service Washington/Buffalo Park Phases 1A and 1B (\$654 - Parks Capital Improvements Project Fund) - Ward 2 (Vacant)

Fiscal Impact

☐

No Impact

Amount: \$654

☒

Budget Funds Available

Dept./Division: Public Works/Real Estate

☐

Augmentation Required

Funding Source: Parks CIP Fund

PURPOSE/BACKGROUND:

In order to have water lines and appurtenance(s) to service the site, the City is required to grant an Easement and Rights-of-Way to the Water District for construction of the water lines and appurtenance(s).

RECOMMENDATION:

The 6/1/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Easement and Rights-of -Way

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

NOTE: Under Item 5, COUNCILMAN MACK disclosed for Items 40 and 45, which involve the expansion of City Hall, that his brother-in-law, ANDREW DONNER, has a contract with the Lady Luck Casino related to its non-restricted gaming license. Also, a SuperPawn shop owned by his brother, STEVEN MACK, for whom he does consulting, is near the location involved in Item 44. Since COUNCILMAN MACK did not believe that his relatives would be impacted by the actions taken on the aforementioned items, and they have not approached him on these items, he felt comfortable voting on them.

CITY COUNCIL MEETING OF JUNE 2, 2004

Consent – Public Works

Item 44 – Approval of an Easement and Rights-of-Way between the City of Las Vegas and the Las Vegas Valley Water District for the purpose of construction, operation, maintenance, repair, renewal, reconstruction and removal of water lines and appurtenances on APN 138-28-301-005 to service Washington/Buffalo Park Phases 1A and 1B (\$654 - Parks Capital Improvements Project Fund) - Ward 2 (Vacant)

MINUTES:

Under Item 5, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

Approval of an Agreement for the Purchase and Sale of Real property between Priority One Commercial (on behalf of the City of Las Vegas) and Robert Piccininni for real property commonly known as APN 139-34-512-015 located at 512 East Mesquite Avenue (\$650,000 + closing costs - City Facilities Capital Project Fund) - Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount:** \$650,000 + closing costs☒**Budget Funds Available****Dept./Division:** Public Works/Real Estate☐**Augmentation Required****Funding Source:** City Facilities Capital Project Fund**PURPOSE/BACKGROUND:**

The City wishes to purchase this property in accordance with the City Hall East Tower Project.

RECOMMENDATION:

The 6/1/2004 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Agreement for the Purchase and Sale of Real Property

MOTION:

REESE – APPROVED Items 5 through 45 as recommended – UNANIMOUS with Ward 2 seat vacant

NOTE: Under Item 5, COUNCILMAN MACK disclosed for Items 40 and 45, which involve the expansion of City Hall, that his brother-in-law, ANDREW DONNER, has a contract with the Lady Luck Casino related to its non-restricted gaming license. Also, a SuperPawn shop owned by his brother, STEVEN MACK, for whom he does consulting, is near the location involved in Item 44. Since COUNCILMAN MACK did not believe that his relatives would be impacted by the actions taken on the aforementioned items, and they have not approached him on these items, he felt comfortable voting on them.

MINUTES:

Under Item 5, COUNCILMAN WEEKLY reported that the Real Estate Committee met to review all of the Real Estate items on the consent agenda and joins with the recommendation of staff that the City Council approve each item.

(9:29 – 9:30)

1-972

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY MANAGER**DIRECTOR: DOUGLAS A. SELBY**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ADMINISTRATIVE:

Discussion and possible action regarding a campaign and employment policy for state legislators

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

On May 19 the City Council discussed parameters for a policy governing City employees who run for or are elected to legislative office. The attached policy attempts to incorporate the direction of the City Council.

RECOMMENDATION:

Receive presentation on proposed policy and take appropriate action.

BACKUP DOCUMENTATION:

Submitted at the meeting: key features of policy

MOTION:

GOODMAN - APPROVED the recommended policy with an Effective Date of 1/1/2005 – UNANIMOUS with Ward 2 seat vacant

NOTE: A previous motion by Goodman for reconsideration rescinded the initial motion by Reese for approval of the recommended policy, giving the City Manager a two-year window of opportunity to bring the matter back before the Council to request necessary revisions. Both motions carried unanimously with Ward 2 seat vacant.

MINUTES:

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

APPEARANCES:

OSCAR GOODMAN, Mayor

DOUG SELBY, City Manager

GARY REESE, Councilman

MICHAEL MACK, Councilman

LARRY BROWN, Councilman

LAWRENCE WEEKLY, Councilman

BRAD JERBIC, City Attorney

(9:30 – 9:43/9:51 – 9:54)

1-812/1-1569

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action on Appeal of Work Card Denial: Held in Abeyance from May 19, 2004. Tamara Lynn Carrera, 555 E. Silverado Ranch, Apt. #1062, Las Vegas, Nevada 89123

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:****RECOMMENDATION:****BACKUP DOCUMENTATION:**

None

MOTION:

REESE – APPROVED the appeal, thereby granting a site-specific work card, with a one-year (6/1/2005) review and requiring MS. CARRERA to report any arrests or citations to the Las Vegas Metropolitan Police Department Special Investigations Division within 48 hours – UNANIMOUS with Ward 2 seat vacant

NOTE: MAYOR GOODMAN disclosed that he and ATTORNEY STEIN were previously partners in a law firm. That relationship ended many years ago and they are now friends, which he did not believe would have any bearing on his ability to fairly consider this matter. The Mayor confirmed with SENIOR LITIGATION COUNSEL that his disclosure would suffice.

MINUTES:

The appellant was present, accompanied by her attorney, STEPHEN STEIN.

This matter was initially trailed, at the request of JIM DiFIORE, Manager, Business Services, pending arrival of STACY RODD, Detective, Las Vegas Metropolitan Police Department (Metro). Upon the arrival of DETECTIVE RODD, he deferred to the Confidential Report for information regarding the appellant's background. He indicated that ATTORNEY STEIN submitted additional information that was subsequently included in the Confidential Report, and that Metro no longer had any objection to the issuance of a site-specific work card.

(9:43 – 9:44/9:48 – 9:50)

1-1278/1-1478

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Held in Abeyance from May 19, 2004. Don L. Hampton, 893 W. Balzar, Las Vegas, Nevada 89106

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to bring forward and STRIKE Items 48 and 54 and accept WITHDRAWAL of Item 50 – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:27 – 9:29)

1-927

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Approved June 4, 2003 subject to one year review: Sherry Dina Rosen, 3550 Paradise Road #351, Las Vegas, Nevada 89109

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

None

MOTION:

REESE – APPROVED with no further review – UNANIMOUS with Ward 2 seat vacant

MINUTES:

The appellant was present.

This matter was initially trailed, at the request of JIM DiFIORE, Manager, Business Services, pending arrival of STACY RODD, Detective, Las Vegas Metropolitan Police Department (Metro). Upon the arrival of DETECTIVE RODD, he indicated that MS. ROSEN was previously issued a one-year work card. In reviewing her background since that time, Metro found that there are no problems to preclude the issuance of a permanent work card.

MS. ROSEN requested approval of the permanent card.

(9:44 – 9:45/9:50 – 9:51)

1-1327/1-1540

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Ryan P. Goida, 1518 Silver Sunset Drive, Henderson, Nevada 89052

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

[BACKUP DOCUMENTATION:](#)

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant

MOTION:

REESE – Motion to bring forward and STRIKE Items 48 and 54 and accept WITHDRAWAL of Item 50 – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no related discussion.

(9:27 – 9:29)

1-927

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding Temporary Approval of a Change of Ownership, Location and Business Name for a Supper Club License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: Lightcoin, Inc., dba Club 2100, 2100 Fremont Street (Non-operational), Lawrence D. Rosales, Dir, Pres, Secy, Treas, 100%, To: Restco, LLC, dba Mikes Restaurant, 6191 Centennial Center Boulevard, Pacific Restaurant Concepts, Inc., Mgr, Mmbr, 100%, Robert D. White, Pres, Jungwoo Lee, Secy, Joseph Y. Hong, Dir, Michael A. Olsen, Treas, 20%, Pipeline 1, Inc., 40%, Jungwoo Lee, Dir, Pres, Secy, Treas, 100%, Lydia Industries, LLC, 20%, Joseph Y. Hong, Mgr, Mmbr, 100%, Decades Development, LC, 20%, Robert D. White, Mgr, 100% - Ward 6 (Mack)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding Temporary Approval of a Change of Ownership, Location and Business Name for a Supper Club License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes and Health Dept. regulations with authority for the Director or Designee to issue a permanent license upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Robert D. White
3. Map

MOTION:

MACK – APPROVED the temporary license, subject to provisions as recommended, with the manager of Business Services granted the authority to approve the permanent license after completion of appropriate process – UNANIMOUS with Ward 2 seat vacant

MINUTES:

MIKE OLSON was present on behalf of Restco and Mikes Restaurant.

JIM DiFIORE, Manager, Business Services, reported that the applicant met the requirements for consideration of temporary approval. He suggested approval as recommended.

CITY COUNCIL MEETING OF JUNE 2, 2004

Finance and Business Services

Item 51 - Discussion and possible action regarding Temporary Approval of a Change of Ownership, Location and Business Name for a Supper Club License subject to the provisions of the planning and fire codes and Health Dept. regulations, From: Lightcoin, Inc., dba Club 2100, 2100 Fremont Street (Non-operational), Lawrence D. Rosales, Dir, Pres, Secy, Treas, 100%, To: Restco, LLC, dba Mikes Restaurant, 6191 Centennial Center Boulevard, Pacific Restaurant Concepts, Inc., Mgr, Mmbr, 100%, Robert D. White, Pres, Jungwoo Lee, Secy, Joseph Y. Hong, Dir, Michael A. Olsen, Treas, 20%, Pipeline 1, Inc., 40%, Jungwoo Lee, Dir, Pres, Secy, Treas, 100%, Lydia Industries, LLC, 20%, Joseph Y. Hong, Mgr, Mmbr, 100%, Decades Development, LC, 20%, Robert D. White, Mgr, 100% - Ward 6 (Mack)

MINUTES-Continued:

MR. OLSON stated the restaurant is Italian with a diverse menu. They are already seeking to open a second location.

COUNCILMAN MACK noted the residents of the Centennial Hills area are looking forward to the opening of this restaurant.

(9:45 – 9:47)

1-1347

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-96-2004 - Discussion and possible action regarding a resolution establishing the interest rate on the assessments in the City of Las Vegas, Nevada Special Improvement District No. 607 (Providence) - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The City sold \$51,187,500. in bonds on May 25, 2004. The bonds are entitled City of Las Vegas, Nevada Special Improvement District No. 607 (Providence) Local Improvement Bonds, Series 2004. Pursuant to NRS 271.415(2)(b), the Council is required, after sale of the bonds, to establish the rate of interest on the assessments which secures the bonds, provided that such interest rate may not exceed by more than one percent the highest rate of interest on the bonds.

RECOMMENDATION:

It is recommended that the Council adopt this resolution.

BACKUP DOCUMENTATION:

Resolution No. R-96-2004

MOTION:

MACK – APPROVED as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

NOTE: During the morning session MARK VINCENT, Director, Finance and Business Services, requested that Items 52 and 53 be trailed, pending receipt of the interest rates so that they could be read into the record.

After the Mayor called the meeting back to order, MARK VINCENT, Director, Finance and Business Services, informed Council that the interest rate that will be placed in section two of page two of the Resolution is 7.250%. The true interest cost on these 20-year bonds is 6.1% and the highest coupon rate was 6.25%. He explained that the Resolution allowed the City to charge up to an additional 1% interest to cover administrative costs for staff and outside billing and collection services. MR. VINCENT stated the negotiated sale was for a very large tract of land for the Cliffs Edge Development called Providence. He indicated that as the land is developed and market conditions continue to be favorable, there is a good chance these bonds will be refinanced as the City has done in the past for other similar situations such as Summerlin.

(9:47 – 9:48/1:05 – 1:07)

1-1427/3-1

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:****RESOLUTIONS:**

R-97-2004 - Discussion and possible action regarding a resolution establishing the interest rate on the assessments in the City of Las Vegas, Nevada Special Improvement Districts No.1474 (Rainbow Boulevard: Silverstream Avenue to Smoke Ranch Road) and No.1486 (Rainbow Boulevard Phase II: Rancho Drive to Ann Road) - Ward 6 (Mack)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The City sold \$452,000 in bonds on June 2, 2004. The bonds are entitled City of Las Vegas, Nevada Special Improvement District Nos. 1474 and 1486 Local Improvement Bonds, Series 2004B. Pursuant to NRS 271.415(2)(b), the Council is required, after sale of the bonds, to establish the rate of interest on the assessments which secure the bonds, provided that such interest rate may not exceed by more than one percent the highest rate of interest on the bonds.

RECOMMENDATION:

It is recommended that the City Council adopt this resolution.

BACKUP DOCUMENTATION:

Resolution No. R-97-2004

MOTION:

MACK – APPROVED as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

NOTE: During the morning session MARK VINCENT, Director, Finance and Business Services, requested that Items 52 and 53 be trailed, pending receipt of the interest rates so that they could be read into the record.

MARK VINCENT, Director, Finance and Business Services, explained that the street improvements total approximately \$452,000.00. The true interest cost of these 10-year bonds is 4.38%. In accordance with R-97-2004, the interest rate to be placed in section three of page two of the Resolution will be set at 5.26%.

(9:47 – 9:48/1:07 – 1:08)

1-1427/3-49

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-98-2004 - Discussion and possible action regarding a resolution establishing the interest rate on the assessments in the City of Las Vegas, Nevada Special Improvement District No. 1481 El Capitan Way (Centennial Parkway to US 95) - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The City sold \$2,070,000. in bonds on June 2, 2004. The bonds are entitled City of Las Vegas, Nevada Special Improvement District No. 1481 Local Improvement Bonds, Series 2004A. Pursuant to NRS 271.415(2)(b), the Council is required, after sale of the bonds, to establish the rate of interest on the assessments which secure the bonds, provided that such interest rate may not exceed by more than one percent the highest rate of interest on the bonds.

RECOMMENDATION:

It is recommended that the City Council adopt this resolution.

BACKUP DOCUMENTATION:

Resolution No. R-98-2004

MOTION:

REESE – Motion to bring forward and STRIKE Items 48 and 54 and accept WITHDRAWAL of Item 50 – UNANIMOUS with Ward 2 seat vacant

MINUTES:

Under Item 1, COUNCILMAN MACK asked RICHARD GOECKE, Director of Public Works, why staff was requesting Item 54 to be stricken. CITY ATTORNEY JERBIC responded that the item is regarding a Special Improvement District that involves a lawsuit that was filed at the last minute. As a result of disclosure requirements, staff is removing it from the agenda until the matter is resolved.

(9:27 – 9:29)

1-927

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

RESOLUTIONS:

R-99-2004 - Discussion and possible action regarding a resolution to augment and amend the City of Las Vegas Fiscal Year 2004 General Fund Budget in the amount of \$19,579,000

Fiscal Impact☐**No Impact****Amount:** \$19,579,000☐**Budget Funds Available****Dept./Division:** Finance & Budget Division☒**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

Augment and amend the Fiscal Year 2004 General Fund Budget in the amount of \$19,579,000.

RECOMMENDATION:

Staff recommends approval of the augmentation and amendment to the General Fund Budget.

BACKUP DOCUMENTATION:

1. Resolution No. R-99-2004
2. Exhibit A - Revenues
3. Exhibit B - Expenditures

MOTION:

REESE – APPROVED as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

MARK VINCENT, Director, Finance and Business Services, indicated that this matter is in compliance with direction the Council gave at the budget meetings held earlier during the year. The revenue is being pulled from FY 2004 consolidated tax revenues at \$12.4 million, a reimbursement from the Building and Safety Enterprise Fund of Seed money that was provided to that fund about four years ago of \$2.6 million, and an ending fund balance of roughly \$4.6 million. About \$1.1 million of these total revenues will cover operational expenses in the General Fund and about \$18.5 million will be transferred to cover Capital Projects Funds. He requested approval.

COUNCILMAN WEEKLY questioned the procedure for transferring Residential Construction Tax (RCT) funds allocated from one project to another. MR. VINCENT answered that staff would forward an agenda item to make the change.

(9:54 – 9:57)

1-1720

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-100-2004 - Discussion and possible action regarding a Resolution to Augment the City of Las Vegas Fiscal Year 2004 Las Vegas Convention and Visitors Authority (LVCVA) Special Revenue Fund Budget in the amount of \$239,866

Fiscal Impact

☐

No Impact

Amount: \$239,866

☐

Budget Funds Available

Dept./Division: Finance and Budget Division

☒

Augmentation Required

Funding Source: LVCVA Special Revenue Fund

PURPOSE/BACKGROUND:

Augment the Fiscal Year 2004 LVCVA Special Revenue Fund Budget in the amount of \$239,866.

RECOMMENDATION:

Staff recommends approval of the augmentation to the LVCVA Special Revenue Fund Budget.

BACKUP DOCUMENTATION:

1. Resolution No. R-100-2004
2. Exhibit A - Augmentation

MOTION:

REESE – APPROVED as recommended – UNANIMOUS with Ward 2 seat vacant

MINUTES:

MARK VINCENT, Director, Finance and Business Services, mentioned that \$20 million in bonds were issued this fiscal year. In that process, staff neglected to budget for closing costs. This augmentation from available revenues will cover those costs.

(9:57 – 9:58)

1-1830

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY CLERK**DIRECTOR: BARBARA JO (RONI) RONEMUS** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****BOARDS & COMMISSIONS:**

LAS VEGAS-CLARK COUNTY LIBRARY DISTRICT BOARD OF TRUSTEES – Ricki Y. Barlow, Term Expiration 3-6-2007 (Resigned)

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

This board is comprised of five members appointed by the City Council and five members appointed by Clark County. Terms of office are for four years and members are limited to two terms. The Consolidated Library District Attorney has opined that a member of this Library District may serve two four-year terms plus any expired portion of a term to which they have been appointed, provided the total number of years does not exceed 10 years. Membership on this Board requires City residency and attendance is compensatory. It will be necessary for a member of City Council to recommend an appointment to fill Mr. Barlow's unexpired term.

RECOMMENDATION:

Procedure for this Board requires recommendation by any member of the City Council with Council ratification. It will be necessary to fill Mr. Barlow's unexpired term, which expires March 6, 2007.

BACKUP DOCUMENTATION:

1. Current listing and Authority-Las Vegas-Clark County Library District Board of Trustees
2. Resignation letter from Ricki Y. Barlow

MOTION:

WEEKLY – Motion to APPOINT KELLY BENAVIDEZ – UNANIMOUS with Ward 2 seat vacant

Clerk to notify

MINUTES:

COUNCILMAN WEEKLY and MAYOR GOODMAN expressed their appreciation to MR. BARLOW for his excellent service on this Board. COUNCILMAN WEEKLY noted that MR. BARLOW accomplished a lot on this Board, including winning "Library of the Year."

(9:58 – 9:59)

1-1864

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY CLERK**DIRECTOR:** BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****BOARDS & COMMISSIONS:**

Discussion and possible action on the appointment of a member of Council to the Debt Management Commission (Expires June 2005)

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Membership on this commission is provided for under NRS 350.002, which allows for one City of Las Vegas representative who is an elected official. With the resignation of Councilwoman Lynette Boggs McDonald, who served on this committee, it will be necessary to appoint an elected official to fill her unexpired term.

RECOMMENDATION:

It is recommended that the Mayor appoint, and Council ratify, a member of Council to fill Councilwoman McDonald's unexpired term on the Debt Management Commission.

BACKUP DOCUMENTATION:

Current Listing and Authority

MOTION:

GOODMAN – Motion to APPOINT himself to fill the unexpired term – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no discussion.

(9:59 – 10:00)
1-1922

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY CLERK**DIRECTOR:** BARBARA JO (RONI) RONEMUS ☐ CONSENT ☒ DISCUSSION**SUBJECT:**

BOARDS & COMMISSIONS:

Discussion and possible action on the appointment of a member of Council to the Metropolitan Police Committee on Fiscal Affairs

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

Membership on this committee is provided for under NRS 280.130, which allows for two representatives from each participating subdivision. Mayor Pro-Tem Reese and Councilwoman Lynette Boggs McDonald are the City's representatives. With the resignation of Councilwoman Lynette Boggs McDonald from the City Council, it will be necessary to appoint a member of Council to this seat. Members on this committee serve until replaced.

RECOMMENDATION:

It is recommended that the Mayor appoint, and Council ratify, a member of Council to replace Councilwoman McDonald on the Metropolitan Police Committee on Fiscal Affairs.

BACKUP DOCUMENTATION:

Current Listing and Authority

MOTION:

GOODMAN – Motion to APPOINT COUNCILMAN MACK – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no discussion.

(10:00)
1-1953

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: BUSINESS DEVELOPMENT**DIRECTOR: CHRIS KNIGHT (ACTING)** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilman Weekly and Councilwoman Moncrief

ABEYANCE ITEM - Discussion and possible action regarding an Agreement to Negotiate Exclusively with CityMark Development, LLC, regarding negotiation of a Disposition and Development Agreement for the site located at 3rd Street and Bonneville Avenue totaling approximately 2.38 acres and owned by Office District Parking I, Inc., APN 139-34-311-095 to - 102 and -105 to -110 (receipt of \$50,000 deposit) - Ward 1 (Moncrief)

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount: \$50,000 deposit
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

On January 7, 2004, Office District Parking I, Inc., a wholly owned subsidiary of the City, was authorized to proceed with a Request For Development Proposals (RFP) for the site located at 3rd Street and Bonneville Avenue (the Site). The RFP expressly sought development proposals for urban density residential projects from financially strong developers that furthered the development goals and objectives set forth in the Las Vegas Downtown Centennial Plan. A staff review committee evaluated the development proposals received and recommends CityMark Development, LLC, as the Developer with the best overall proposal for the Site. Execution of an Agreement to Negotiate Exclusively (ENA) will allow staff 60 days to negotiate a Disposition and Development Agreement (DDA) with CityMark Development, LLC for the Site.

RECOMMENDATION:

The 6/1/2004 Real Estate Committee and staff approval

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Agreement to Negotiate Exclusively
3. Site Map

MOTION:

MONCRIEF – APPROVED as recommended – UNANIMOUS with GOODMAN abstaining in an abundance of caution because he is still owed money for property he sold at Casino Center and Bonneville and Ward 2 seat vacant

CITY COUNCIL MEETING OF JUNE 2, 2004

Real Estate

Item 60 - Discussion and possible action regarding an Agreement to Negotiate Exclusively with CityMark Development, LLC, regarding negotiation of a Disposition and Development Agreement for the site located at 3rd Street and Bonneville Avenue totaling approximately 2.38 acres and owned by Office District Parking I, Inc., APN 139-34-311-095 to -102 and -105 to -110 (receipt of \$50,000 deposit) - Ward 1 (Moncrief)

MINUTES:

CHRIS KNIGHT, Acting Director, Business Development Office, indicated that in January of this year Council authorized issuance of a Request for Proposal to solicit proposals to develop the site at Third and Bonneville. Seven proposals were received and reviewed by a committee, which recommended that CityMark be the preferred developer. CityMark's proposal includes 316 residential units, with ten live/work units, 14,000 square feet of mixed use retail space at the street level, and 600 parking spaces on-site. Staff would like to move forward with an exclusive negotiating agreement and then a DDA. He requested approval.

MAYOR GOODMAN requested to see plans. MR. KNIGHT indicated that none were available, as the proposal is in the infancy stage.

(9:49 – 9:51)

1-1522

4. AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-37 – Prohibits the sale of new vehicles (cars and trucks) on Sundays. Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

In 2001, the Southern Nevada Regional Planning Coalition adopted a resolution recommending that area local governments adopt ordinances to prohibit motor vehicle dealers from selling new vehicles (cars and trucks) on Sundays. Clark County adopted such an ordinance in 2001, and it has been proposed that the City do likewise.

RECOMMENDATION:

ADOPTION at 6/2/2004 City Council meeting pursuant to the 5/17/2004 Recommending Committee.

First Reading – 5/5/2004; First Publication – 5/21/2004

BACKUP DOCUMENTATION:

Bill No. 2004-37

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended Ordinance No. 5704 – UNANIMOUS with Ward 2 seat vacant

NOTE: A previous motion by Goodman for reconsideration rescinded the initial motion for approval as recommended. Both motions carried unanimously with Ward 2 seat vacant.

Clerk to proceed with second publication.

MINUTES:

ATTORNEY JOE BROWN, Jones Vargas Law Firm, appeared representing the franchised auto dealers, three of which were in the audience. He expressed support of this bill. MAYOR GOODMAN said that people who work in the industry appreciate having Sunday off. ATTORNEY BROWN said that this bill promotes uniformity.

CITY COUNCIL MEETING OF JUNE 2, 2004

Recommending

Item 61 – Bill No. 2004-37

MINUTES - Continued:

When the Mayor brought this matter back to allow CANITA JONES, 5645 O'Bannon Drive, to speak on this matter, MS. JONES confirmed with the Mayor that there would be no new car sales on Sundays. She then asked why used cars do not fall under this ordinance. COUNCILMAN MACK explained that this was something that the new car dealers agreed to and wanted it in ordinance form to have uniformity throughout the Valley. In order to have the used cars dealers included, they would have to come forward and make the same request, because it cannot be imposed upon them.

GARY SWANSON, 2270 W. Wind Road, felt that this should also apply to used car dealers, because along West Sahara new and used car dealerships co-exist. He asked what prevents the new car dealers from being open on Sunday. COUNCILMAN MACK indicated that it has been a gentlemen's agreement for many years, but they decided to put it in ordinance form. MAYOR GOODMAN said that the used car industry can voluntarily be closed on Sunday, but there is no law to prohibit them from opening.

MR. SWANSON then asked if the used car dealers have to comply with not test-driving vehicles through residential areas, as do the new car dealers. MAYOR GOODMAN answered that it was for new car dealers. COUNCILWOMAN MONCRIEF sponsored that ordinance.

(10:04/10:40 – 10:46)

1-2106/2-193

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2004-42 – Adopts development agreement with El Capitan Associates, LLC, regarding property located at the southwest corner of Durango Drive and Dorrell Lane. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

In May 2002, the City Council approved in concept a development agreement with El Capitan Associates, LLC, regarding property located at the southwest corner of Durango Drive and Dorrell Lane. An updated version of the Agreement was presented to Council during Planning and Development's afternoon calendar on May 19, 2004. Pursuant to State law, such an agreement must be adopted by ordinance. This bill will accomplish that adoption.

RECOMMENDATION:

ADOPTION at 6/2/2004 City Council meeting pursuant to the 6/1/2004 Recommending Committee.

First Reading – 5/19/2004; First Publication – 5/22/2004

BACKUP DOCUMENTATION:

1. Bill No. 2004-42
2. El Capitan Development Agreement

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended Ordinance No. 5705 – UNANIMOUS with Ward 2 seat vacant

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(10:06)

1-2205

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-40 – Annexation No. ANX-3978 – Property location: On the west side of Calverts Street, 810 feet south of Tropical Parkway; Petitioned by: Ronny Acevedo and Gilmar Acevedo; Acreage: 1.02 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the west side of Calverts Street, 810 feet south of Tropical Parkway. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (June 25, 2004) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 6/16/2004 City Council meeting pursuant to the 6/1/2004 Recommending Committee.

First Reading – 5/19/2004; First Publication – 6/4/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

6/16/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2004-41 – Revises the City's drought conservation measures in accordance with revisions to the Southern Nevada Water Authority's Drought Plan. Sponsored by: Councilman Larry Brown

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will revise the City's drought conservation measures to conform to recent revisions in the Southern Nevada Water Authority's Drought Plan. In particular, the bill will 1) modify the restrictions on the washing of vehicles and the use of outdoor mist cooling systems, and 2) provide more flexibility in allowing fountains and water features in circumstances where consumptive use reductions cannot be achieved on site.

RECOMMENDATION:

ADOPTION at 6/16/2004 City Council meeting pursuant to the 6/1/2004 Recommending Committee.

First Reading – 5/19/2004; First Publication – 6/4/2004

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

6/16/2004 Council Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2004-43 – Ordinance Creating Special Improvement District No. 1490 - Tenaya Way (Northern Beltway to Elkhorn Road) Sponsored by: Step Requirement

Fiscal Impact

☐

No Impact

Amount: \$646,166.67

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

The construction and installation of pavement, “L” type curb and gutter, sidewalk, driveway approaches, water laterals and mains, sewer laterals and mains, and streetlights.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-43

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

6/14/2004 Recommending Committee

6/16/2004 Council Agenda

(10:06 – 10:07)

1-2235

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2004-44 – Annexation No. ANX-4129 – Property location: On the southwest corner of Bronco Street and Peak Drive; Petitioned by: SF Investments, LLC; Acreage: 2.35 acres; Zoned: R-E (County zoning), U (R) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the southwest corner of Bronco Street and Peak Drive. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (July 16, 2004) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-44 and Location Map

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

6/14/2004 Recommending Committee

6/16/2004 Council Agenda

(10:06 – 10:07)

1-2235

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2004-45 – Establishes restrictions on the use and possession of electronic stun devices.
Sponsored by: Councilman Gary Reese

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will establish limitations on the use and possession of electronic stun devices. The bill has been requested by the Las Vegas Metropolitan Police Department and is similar to a ordinance that has been adopted by Clark County.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2004-45

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEMBERS WEEKLY and MONCRIEF

6/14/2004 Recommending Committee

6/16/2004 Council Agenda

(10:06 – 10:07)

1-2235

THE MORNING SESSION RECESSED AT 10:07 A.M., AND WAS RECALLED AT 10:40 A.M. TO RECONSIDER ITEM 61 AND TO GO INTO CLOSED SESSION BEFORE BEING RECESSED AGAIN AT 10:46 A.M.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

CLOSED SESSION – To Be Held at Conclusion of Morning Session

Upon a duly carried Motion, a closed meeting is called in accordance with NRS 241.030 to discuss the following items:

- A. City Manager's Annual Performance Review
- B. City Attorney's Annual Performance Review
- C. City Auditor's Annual Performance Review

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

The Open Meeting law permits the City Council to conduct closed sessions for – among other reasons – discussion and evaluation of the character and professional competence of a person. While all decisions and actual deliberations regarding compensation and employment must be made during the public agenda item which follows the closed session, these private meetings permit candid conversations which might not be appropriate for a public meeting. Minutes of a closed session must be generated in the same fashion as the public portion of the agenda, but the minutes are confidential unless the person who is the subject of the closed session chooses to release them.

RECOMMENDATION:

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to go into a closed session meeting in accordance with NRS 241.030 – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no discussion.

(10:46)
2-382

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

Any items from the afternoon session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 76 [DIR-4421] to 7/7/2004 and Item 79 [SUP-3394] to 7/21/2004 and to STRIKE Item 69 [15 West Owens Avenue]
– **UNANIMOUS with GOODMAN abstaining on the abeyance vote for Item 76 [DIR-4421] and Item 79 [SUP-3394] and Ward 2 seat vacant**

MINUTES:

COUNCILMAN REESE confirmed with Planning Staff that this would be the first abeyance of Item 76 [DIR-4421].

DEPUTY CITY ATTORNEY BRYAN SCOTT reminded MAYOR GOODMAN that there was an opinion rendered regarding Item 76 [DIR-4421] and Item 79 [SUP-3394]. MAYOR GOODMAN disclosed that a potential conflict exists as his law firm is negotiating with certain billboard companies. MAYOR GOODMAN gave a copy of the opinion to the City Clerk to incorporate into the record and stated he would be abstaining from voting on these two Items.

(1:11 – 1:12)

3-219

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: ORLANDO SANCHEZ**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Public hearing to consider the report of expenses to recover costs for abatement of dangerous building located at 15 West Owens Avenue. PROPERTY OWNERS: T & D DEL CORP. - Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount:** \$79,350.00☒**Budget Funds Available****Dept./Division:** Neighborhood Services/Response☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. After proper notification, the City of Las Vegas departments of Neighborhood Services, Fire Services, Finance - Business Services, and the Clark County Health District gave notice to the owners of Sky-Vue Mobile Home Park that the park would be closed because of the imminent hazards on the property. When no corrective action was taken nor an appeal filed, the Sky-Vue Mobile Home Park was closed, and the Department of Neighborhood Services began relocating some of the tenants.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$79,350.00 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treas.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Notice of Public Hearing
5. Transmittal memorandum and letter appealing Notice and Order with enclosures
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien
8. Submitted after final agenda – Letter from Attorney William Noall

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 76 [DIR-4421] to 7/7/2004 and Item 79 [SUP-3394] to 7/21/2004 and to STRIKE Item 69 [15 West Owens Avenue] – UNANIMOUS with GOODMAN abstaining on the abeyance vote for Item 76 [DIR-4421] and Item 79 [SUP-3394] and Ward 2 seat vacant

CITY COUNCIL MEETING OF JUNE 2, 2004
Neighborhood Services Department
Item 69 – 15 West Owens Avenue

MINUTES:

There was no discussion.

(1:11 – 1:12)

3-219

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

PLANNING & DEVELOPMENT DEPARTMENT PM SESSION INDEX:

CONSENT AGENDA

- EXTENSION OF TIME - VARIANCE
70 EOT-4349 - Applicant/Owner: ABF, Inc.

DISCUSSION/ACTION ITEMS

NOT TO BE HEARD BEFORE 1:00 P.M.

- REZONING - PUBLIC HEARING
71 ABEYANCE ITEM - ZON-4082 - Applicant/Owner: Sahara Rancho Office Center, Limited Liability Company
- VARIANCE RELATED TO ZON-4082 - PUBLIC HEARING
72 ABEYANCE ITEM - VAR-4251 - Applicant/Owner: Sahara Rancho Office Center, Limited Liability Company
- SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4082 AND VAR-4251 - PUBLIC HEARING
73 ABEYANCE ITEM - SDR-4086 - Applicant/Owner: Sahara Rancho Office Center, Limited Liability Company
- SPECIAL USE PERMIT RELATED TO ZON-4082, VAR-4251 AND SDR-4086 - PUBLIC HEARING
74 ABEYANCE ITEM - SUP-4089 - Applicant/Owner: Sahara Rancho Office Center, Limited Liability Company
75 ABEYANCE ITEM - SUP-4090 - Applicant/Owner: Sahara Rancho Office Center, Limited Liability Company
- APPEAL OF DIRECTOR'S BUSINESS
76 DIR-4421 - Applicant/Owner: Bar-K Realty
- SITE DEVELOPMENT PLAN REVIEW
77 ABEYANCE ITEM - SD-0062-00 - Applicant: Baughman & Turner, Inc. – Owner: Ron and Lynn Foglia

City of Las Vegas

PLANNING & DEVELOPMENT - Page Two

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City Council Meeting of June 2, 2004

- 78** VARIANCE - PUBLIC HEARING
ABEYANCE ITEM - VAR-3902 - Applicant/Owner: Richard and Jill Burns
- 79** SPECIAL USE PERMIT - PUBLIC HEARING
ABEYANCE ITEM - SUP-3394 - Las Vegas Billboards on behalf of West Sahara
Associated, Limited Partnership

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

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DISCUSSION

SUBJECT:

EXTENSION OF TIME - VARIANCE - EOT-4349 - APPLICANT/OWNER: A B F, INC. - Request for an Extension of Time of an approved Variance (V-0027-02) TO ALLOW A PROPOSED PARKING GARAGE TO BE CONSTRUCTED ZERO FEET FROM THE REAR PROPERTY LINE WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED; AND TO ALLOW A 12-FOOT TALL WALL ALONG THE WEST AND NORTH PROPERTY LINES WHERE SIX FEET IS THE MAXIMUM HEIGHT PERMITTED at 200 West Sahara Avenue (APN: 162-04-811-027 and 162-04-812-001), R-3 (Medium Density Residential) and R-4 (High Density Residential) Zones under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED subject to conditions – UNANIMOUS with Ward 2 seat vacant

MINUTES:

There was no discussion.

(1:12 – 1:13)

3-282

CONDITIONS:

Planning and Development

1. This Extension of Time will expire on June 5, 2006 unless another Extension of Time is approved by the City Council.
2. Conformance to the conditions of approval for Variance (V-0027-02) and all other subsequent site related actions as required by the Planning and Development Department and the Department of Public Works.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

NOT TO BE HEARD BEFORE 1:00 P.M. - ABEYANCE ITEM - REZONING - PUBLIC HEARING - ZON-4082 – APPLICANT/OWNER: SAHARA RANCHO OFFICE CENTER, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: R-3 (MEDIUM DENSITY RESIDENTIAL), P-R (PROFESSIONAL OFFICE AND PARKING) TO: C-1 (LIMITED COMMERCIAL) on 15.33 acres adjacent to the northeast corner of Sahara Avenue and Rancho Drive (APN: 162-04-401-007), Ward 1 (Moncrief). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

3

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest petition with 28 signatures filed under Item 71 [ZON-4082]
5. Submitted after final agenda – Protest letter from Roderick and Virginia Garrison filed under Item 71 [ZON-4082]

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with Ward 2 seat vacant

NOTE: MAYOR GOODMAN disclosed that many of the individuals in the audience who were prepared to speak on this Item were his neighbors and the proposed project was near his residence. He did not feel his decision-making abilities would be swayed. MAYOR GOODMAN also recognized MR. PETER THOMAS in the audience and explained their families both have an interest in a project at APEX. MAYOR GOODMAN did not know if MR. THOMAS would be speaking for or against the project but acknowledged property owned by MR. THOMAS could be affected by the decisions made by Council. MAYOR GOODMAN felt that this would not interfere with his voting ability. He indicated that should something be said that would preclude him from voting, he would announce it. DEPUTY CITY ATTORNEY BRYAN SCOTT confirmed that the disclosures are appropriate and do not constitute a requirement to abstain.

CITY COUNCIL MEETING OF JUNE 2, 2004
Planning and Development Department
Item 71 – ZON-4082

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 71 [ZON-4082], Item 72 [VAR-4251], Item 73 [SDR-4086], Item 74 [SUP-4089] and Item 75 [SUP-4090].

ATTORNEY JENNIFER LAZOVICH, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared on behalf of applicant and referred to the overhead showing a conceptual plan of the proposed development, which would occupy a fifteen-acre lot on the northeast corner of Rancho Drive and Sahara Avenue. She explained that single-family homes are located north of the site and Palace Station Casino is located south of the site. East of the site is the I-15 freeway and beyond the freeway, industrial use properties. West of the site, across Rancho Drive, is the 12-story US Bank building and garage with restaurant, retail and various other uses.

ATTORNEY LAZOVICH indicated the master plan for the area is Service Commercial and read the definition of that designation. She stated that the zoning and uses being requested by the applicant were consistent with the General Plan.

She described Sahara Avenue as a 150-foot wide primary arterial and Rancho Drive as an 80-foot wide secondary collector. She pointed out that the nearby Palace Station Casino has over 1000 hotel rooms and all of the related hotel uses. Across Rancho Drive is the existing US Bank building, which is twelve stories tall and has a parking garage, restaurants and retail services. She stated the property is adjacent to the Sahara off ramp, a major off ramp from the I-15.

She explained the request for a zone change from PR (Professional Office and Parking) and R-3 (Medium Density Residential) to C-1 (Limited Commercial). She indicated the Special Use Permits requested are for two restaurants that will have service bars, which will be located directly on the corner of Sahara Avenue and Rancho Drive. The requested variance relates to a setback requirement, and there is a site plan review.

ATTORNEY LAZOVICH explained the proposed phases. Phase one will eliminate the existing gas station and two-story office building. A five-story office building, garage and two restaurant pad sites would be constructed at the corner of Sahara Avenue and Rancho Drive. Phase two would involve the construction of the twelve-story office building with garage. One main driveway is being proposed in the center of the project. The developer is also proposing a stop light at that driveway which the developer would fully fund.

The developer is in agreement with staff's recommendation for the zoning. She pointed out that staff and Planning Commission recommended approval for the variance. The parking requirements have been met for the site plan review. To avoid a large area of asphalt parking, the developer has chosen to build a garage, which allows more architectural elements. Two waivers were being requested. The first was in regards to being short two trees, and that waiver

CITY COUNCIL MEETING OF JUNE 2, 2004
Planning and Development Department
Item 71 – ZON-4082

MINUTES Continued:

has been withdrawn. The second was regarding the side setback to the I-15 freeway. The project was short approximately five feet; however, the developer has remedied this situation and is withdrawing that request as well. With these withdrawals, there are no waivers associated with the site plan review. ATTORNEY LAZOVICH indicated the special use permit requests would be for the restaurants, which will have service bars. The designs comply with the commercial design guidelines, and staff and Planning Commission recommended approval.

ATTORNEY LAZOVICH acknowledged the traffic study has been a major concern of the neighborhood. She stated the City of Las Vegas received a traffic study from the developer and staff has reviewed it and continues to examine it. She emphasized the importance of the street light at the proposed main driveway. According to the traffic study, the light located there would send approximately 80% of all traffic generated by the site towards Sahara and onto the I-15 freeway.

MAYOR GOODMAN confirmed by a show of hands individuals were wishing to speak for and against the project and reminded everyone to avoid repetition.

JEREMY HELSEVAC, 2411 West Sahara, appeared on behalf of Station Casinos and thanked DR. STEINBURG for meeting with Station representatives and keeping them informed regarding the project. Station Casinos is in support of the project and believes DR. STEINBURG would be a good neighbor however, there is a concern regarding traffic. MR. HELSEVAC acknowledged ATTORNEY LAZOVICH'S efforts to address the traffic concerns on Sahara Avenue. Station Casinos wanted to go on record as requesting the traffic study be thoroughly reviewed so that the project does not cause an increase in congestion of traffic in the area.

MAYOR GOODMAN asked staff for status on the traffic plan. He indicated that from his briefing, he understood the traffic plan had been studied but no mitigation plans had been made. He confirmed with BART ANDERSON, Project Manager, Public Works Department, that there was not a designated right turn lane going south onto Rancho Drive from Sahara Avenue. MAYOR GOODMAN also questioned whether this project would get approval without such a turn lane. MR. ANDERSON explained the traffic study requires the turn lane and would not get approved without it.

PAUL BURNS, 2209 Westlund Drive, stated this is the third time he has been involved with this area being developed. The traffic light will cause the traffic to back up sooner and last longer, which results in more emissions and more dirt. He also discussed the ongoing construction over the last four years. He feels the neighborhood has tolerated the redevelopment construction for nothing and now they would have to endure more construction in the area. The US Bank is tall, however, there are tall trees that help to protect the neighbors' privacy. On the Rancho Drive side, there are no trees, and, therefore, no privacy shelter from this project.

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MINUTES Continued:

MR. BURNS also feels the idea of two restaurants in the area is not going to work. He does not agree the restaurant can coexist with NDOT's new traffic plan there.

Prior to hearing PETER THOMAS, Managing Director of Thomas and Mack, MAYOR GOODMAN questioned whether MR. THOMAS owned the land on which the US Bank building is located. MR. THOMAS stated that they came into ownership after the structure was built. MR. THOMAS did not know if there were any objections when the project was constructed.

MR. THOMAS indicated he was not speaking for or against the project but wanted to express his concerns over traffic issues on Rancho Drive. His company just received a copy of the traffic report and has not been able to hire a professional to examine it yet. From perusing the study himself, he found inconsistencies that have not been discussed. One of these inconsistencies is in regard to entrances. He said the traffic study does not discuss the smaller driveway that would service the two restaurant pads, but it does show on the plans. Another area MR. THOMAS discussed was in regards to a credit due to the developer after the demolition of a 3,000 square foot convenience center/gas station on the corner. He explained that it is actually a three bay garage and 250 square foot convenience center at most. He feels the credit is overstated, and the claim should be examined.

MR. THOMAS emphasized their main concern regarding traffic on Rancho Drive. He feels the traffic light at the main entrance could be beneficial and acknowledged it would help with his clients turning left from his development. He is concerned the light may not work if traffic is stacked up beyond the given capacity. MR. THOMAS concluded by asking if the traffic study would be re-examined before each building is constructed.

MAYOR GOODMAN asked BART ANDERSON what the Code or ordinance was regarding having the traffic study approved prior to Council taking action. MR. ANDERSON explained that the traffic study has been reviewed but not approved. MAYOR GOODMAN felt the Council was put at a disadvantage by having to speculate what the effect construction would have on traffic without an approved traffic study. MR. ANDERSON stated that there is currently no Code or ordinance requiring a traffic study be completed prior to an item being heard at Council. MAYOR GOODMAN directed DEPUTY CITY ATTORNEY SCOTT to investigate the current language and come up with an ordinance to remedy the situation.

MAYOR GOODMAN voiced concerns about traffic issues currently existing in the area. As an example, he cited the dangers of exiting the freeway at Sahara Avenue and trying to get to Rancho Drive. By not knowing what the facts are regarding traffic, the MAYOR felt at a disadvantage no matter what level of support exists for the project. MR. THOMAS agreed with MAYOR GOODMAN and explained that zoning this property to a more intense use when the traffic is already congested would be an example of putting the cart before the horse.

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MINUTES Continued:

DONALD MOSLEY, 1127 Westlund Drive, described the neighbor's efforts as an attempt to try and preserve one of the last upscale and intact neighborhoods of the City. He referenced the previous proposals for this area in 1996 and 1999. The applicant sued in 1996 and did not win at that time. He could not understand why this was being considered because it is essentially the same project that has been previously denied. He stated the neighborhood will not be worn down by numerous proposals. He acknowledged that the property owners purchased the land in the 1960's. He pointed out that the owners must have been aware of the zoning problems associated with this property. JUDGE MOSLEY felt the developer wants what is best for the project at the expense of the neighborhood. He knows the developer is trying to get the best return on the investment and agrees with that theory but felt the Council is responsible for finding a balance between what is best for the developer while keeping the neighborhood's concerns in mind as well. He felt if the developer gets everything they are asking for, there would not be a proper balance.

He reminded the Council that former MAYOR JAN JONES was in office when an application regarding this same lot was heard in 1996. She voted against it. He read a quote from her, which voiced her opposition stating the project was a result of pure greed.

LYNN HANSEN, 2204 Zafra Court and 2608 Sidonia, reiterated JUDGE MOSLEY'S comments regarding this being the third time the neighborhood has had to come forward in force to protest the same type of project going into this property. She stated the project is not compatible and there is no way to judge how the traffic will be affected. MS. HANSEN owns a business downtown and lives near the downtown area. She suggested that if commercialization to this degree continues, everyone is going to move out to Summerlin and Green Valley, which would be a detriment to the downtown area.

BOB APPLE, 1405 Strong Drive, shared concerns about traffic and agreed with MAYOR GOODMAN about the dangers of Sahara Avenue at the I-15 freeway. He referenced a traffic study done in 1995 on the same area and stated that at that time, the intersection was qualified as dysfunctional. The item associated with that traffic study was voted down unanimously and this project is no different. He questioned whether there was an entrance from Sahara Avenue into the restaurants near the off ramp. If so, he said it will just make matters worse in that area.

SHELLY WALTERS, 2112 Kirkland Avenue, is a resident of Glen Heather Estates which is to the north of the proposed project. She is opposed to this project on the basis of cut-through traffic being increased. She stated residents are already afraid to let their children play during high traffic periods, and the traffic will just get worse if this development is approved. She cited two streets that enter their neighborhood off of Rancho and four that enter off of Oakey. Because of these streets, people are cutting through the neighborhood during high traffic

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MINUTES Continued:

periods. She fears the property values will drop in the area. She asked if this project would have a buffer because she hasn't seen or heard of any walls or trees to separate the residents of Glen Heather Drive from the development.

MAYOR GOODMAN asked MR. THOMAS if his property could accommodate the designated right hand turn and if anyone had approached his company about purchasing the land for the turn lane. MR. THOMAS said that there have not been any discussions concerning purchasing that land, and, in his opinion, there is not enough land available. MAYOR GOODMAN explained that he asked because if the turn lane cannot be accomplished, all discussion is a waste of time. MR. THOMAS indicated that there is a utility vault on the corner that might cause an economic hindrance to installing the turn lane. COUNCILWOMAN MONCRIEF informed MAYOR GOODMAN it was her understanding that the dedicated right turn lane would be a condition of approval and that DR. STEINBURG was in agreement with that fact. ATTORNEY LAZOVICH confirmed that the applicant is aware of the dedicated lane condition and that she had not personally spoken to anyone regarding the purchase of property. She understood that if the condition was imposed and a deal could not be reached with MR. THOMAS regarding the necessary land, the project would not go forward.

MAYOR GOODMAN asked staff if they have made a determination about having enough land there to have a dedicated right turn lane. MR. ANDERSON stated he did not examine the site to see if it was economically feasible with relation to the mentioned utility vault but that it does appear to have enough distance between the buildings and the roadway to accommodate a 10-foot dedicated right turn lane from what exists now, which is an approximate 20-foot landscape barrier.

MR. ANDERSON also wanted to address the misconception that the Public Works Department is not aware of the traffic situation in the area. The traffic study has been reviewed and returned with initial comments, which have been addressed by the developer's traffic engineer who has submitted an addendum. Some of the mitigations requested by the City that were not part of the initial traffic study should improve the situation. These added mitigations can make the situation better, but if they do not, it will not get worse. In MR. ANDERSON'S opinion, the dedicated right turn lane will make a huge improvement for those people trying to turn westbound onto Sahara Avenue from Rancho Drive. There are counts of the number of vehicles there at present. There are projections believed to be representative of the number of vehicles this site will generate in addition to what the surrounding neighborhood will generate in the future.

DEPUTY CITY ATTORNEY SCOTT suggested MR. ANDERSON read some of the conditions that would mitigate the traffic problem associated with this project. MR. ANDERSON recommended a condition which would read: All necessary rights of way to provide a dedicated

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MINUTES Continued:

right turn lane from southbound Rancho Drive onto westbound Sahara Avenue shall be provided by the applicant and approval by the Nevada Department of Transportation for the proposed additional shared left thru lane from southbound Rancho Drive onto eastbound Sahara Avenue shall be demonstrated by the applicant prior to the submittal of construction drawings for the large tower. And, all necessary improvements for said dedicated right turn lane and shared left thru lane including appropriate signage, shall be in place prior to the issuance of the certificate of occupancy for the large tower.

SHERON FRIEND, 2211 Bannie Lane, is a realtor in Las Vegas and has been for 25 years. She used the overhead to point out a specific property that cannot sell due to the traffic problem surrounding it. She stated the property values are plummeting. She referenced another property on Brenmar that cannot sell due to traffic and another on Rancho that sold for the fifth time for half of what the properties in the area usually sell for. She also referenced an area on the map she referred to as an alleyway and stated it is a blind area and a hazard. She suggested stopping all northbound traffic in the area.

THOMAS PITMAN, 2300 La Solana Way, informed Council that there have been six or seven fatalities at the intersection of Rancho Drive and Oakey Boulevard due to the current flow of traffic. He also voiced concerns about the effects additional traffic will add to the already disturbing amounts of exhaust fumes. He opposes the development and agrees with MS. FRIEND that Rancho Drive be made a one way street allowing southbound traffic only.

BILL EDDINS, 2112 Glen Heather Way, stated he lives on the street that will be most affected by this proposed development. He said that the area is already very congested and the traffic lights will make it worse. He thinks the mitigation may control traffic but there is no amount of mitigation that will keep traffic from destroying Glen Heather Estates. He feels this is a great project but Rancho Drive and Sahara Avenue is the wrong location.

RICHARD RUDIAK, 2244 Edgewood, shared the traffic concerns of others and stated that he is specifically concerned about traffic backing up onto Rancho Drive from Sahara Avenue due to the proposed street light. He also stated that just because there is a 10-story bank building on one corner does not mean it is all right to have a 12-story building on another, opposite corner. He pointed out that the bank building has several driveways off Sahara Avenue. As a lifetime resident of Las Vegas, he wanted to remind Council and staff of previous Council's decisions that piecemeal zoning can ruin a neighborhood. He cited the medical UMC/Valley View campus, which was once a nice residential area. Now, that entire area is professional.

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MINUTES Continued:

JOHN THORNDALL, 3013 Burton Avenue, a 36-year resident, discussed an issue from 30 years ago involving a large shopping center proposed just south of Rancho Drive between Sahara Avenue and Oakey Boulevard, which was not approved for the area. The project ended up being the Meadows Mall. The reason it was not approved south of Rancho Drive was primarily due to traffic issues that existed back then. He is specifically concerned about traffic turning right when exiting the proposed development when it is not possible to go left. Because southbound traffic is backed up from Sahara Avenue to Oakey Boulevard, individuals leaving this development will be turning right to go through the neighborhoods.

KEVIN EFROYMSON, 2901 Ashby Avenue, informed Council that one of the big selling points of the presentation made to the Planning Commission was that there would be deep driving lanes to accommodate cars waiting for the proposed new street light. In doing so, the traffic waiting to exit the development would be stacked. MR. EFROYMSON'S concern is when the light turns green, the intersection will be filled up from the vehicles waiting for that green light. As a result, no one will be able to drive because the lanes will still be clogged. He asked that the project be denied.

TOM McGOWAN, Las Vegas resident, questioned whether a jaywalking fatality study had been made or was included in the traffic study. He suggested that commercial encroachment is causing the death of community spirit. He asked for the Council to respect the 400,000 people who died in World War II to protect the freedoms of people such as the neighbors in this area.

JASON SCARINCIO, 2204 Glen Heather Way, felt his road would be the most affected by the construction of the proposed development. He confirmed that there is a utility box where the dedicated right turn lane has been discussed. He knows this because traffic is too thick to drive through to get to Palace Station so he walks there and goes right by the proposed area for the lane. He stated that there have been some violations of the 7 a.m. – 7 p.m. rule in regards to construction taking place on the project site. He and some neighbors have had to call authorities a couple of times. He cannot speculate about traffic, but he knows about construction issues.

ROD GARRISON, 1904 Birch Street, discussed the issue MAYOR GOODMAN brought up regarding the right turn off Sahara Avenue onto Rancho Drive being hazardous. He suggested that the developer also be required to install a dedicated right turn lane from Sahara Avenue onto Rancho Drive.

SUSAN BOUDREAU, 1300 Eaton Drive, expressed concerns regarding traffic as the other speakers did and added her concerns regarding emergency access in the area.

JOE WALTERS, 2112 Kirkland Drive, was happy to see so many residents from other neighborhoods come out to speak against the project. He shared concerns about traffic going

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MINUTES Continued:

north on Rancho Drive and onto Oakey Boulevard and commercial service trucks cutting through residential areas.

MARYLYN SUMNER, 2004 Birch Street, said that to give an idea of how long it takes to get around the area, while waiting to turn left onto Rancho Drive from Glen Heather Way, an entire Beatles song played. She estimates the wait as being from three to four minutes.

THERESA ERICKSON, 1809 Birch Street, explained she has two small children and is concerned about her children's safety as well as the traffic issues of the other residents. She thought the size of the project is too large and objects to the gas station being demolished. She spoke about her neighbors who live adjacent to what was supposed to be a garage that ended up being an office building, and now they have people looking into their yard and home all the time. She also said there were several young families in the area of Glen Heather Way and Birch Street who could not speak today because of work commitments.

MAYOR GOODMAN questioned ATTORNEY LAZOVICH about where the restaurant driveways would be located. She explained and showed on the overhead that the driveway is off of Rancho Drive approximately 240 feet north of the intersection. ATTORNEY LAZOVICH asked the project's Traffic Engineer, CURTIS HORTON, to come up and address the question.

CURTIS HORTON, Traffic Engineer, 444 E. Warm Springs Road, confirmed the driveway location and stated it meets the standards for a driveway near a major intersection. He said the throat depth on the driveway had been increased to accommodate a requirement of Public Works.

Addressing some of the comments and concerns voiced by neighbors, MR. HORTON started by stating that the traffic situation will increase in this area regardless of what type of business would go in at this site. The traffic study was prepared with a growth rate of 3 ½% which was directed by staff. The level of service for this intersection is Level D. This level is below what a brand new intersection's level would be. In 2006, a time when this project would be underway if approved, the traffic will have increased but the intersection will still have a level of service of D. The developer does not deny the project would increase traffic; however, mitigation procedures would be in place. The proposed streetlight would do what MR. HORTON calls platooning the traffic into an area and allowing it to clear before the next platoon comes in.

Regarding emergency services, MR. HORTON reminded everyone that drivers of emergency vehicles are allowed to drive on either side of the road to get to their destination. MR. HORTON suggested that the emergency vehicles could use the wrong side of the road during peak travel hours because the traffic would only be backed up in one direction. MR. HORTON acknowledged the comments of MR. THOMAS regarding the convenience store

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MINUTES Continued:

demolition credit and said it would be examined with staff. Finally, in regard to the signal concerns, MR. HORTON assured everyone the developer would pay for the signal entirely. He explained that the signal is not only for the benefit of the complex but that it would help to mitigate traffic on the Rancho corridor. He indicated that if the traffic continues to be an issue in the area, it is possible that a mitigation concept of installing a median could be considered. If this were to happen, exiting traffic would have to go right and be forced north. He feels the streetlight at the proposed development could help prevent this from happening.

COUNCILMAN BROWN questioned whether the traffic study's projections of 2006 and 2007 took into consideration the traffic generated by the immediate improvements as well as other projects in the area of which staff is currently aware. MR. ANDERSON replied that all other known projects that will have traffic implications are included in the scope of the traffic study. Some projects are recognized, such as the Martin Luther King flyover, but there is no way to include numbers representing the traffic projects can generate when traffic studies have not been completed.

COUNCILMAN BROWN asked if Council was given guidance by Code or ordinance in an instance where a land use issue could affect the level of service, in which an intersection is currently working. DEPUTY CITY ATTORNEY SCOTT explained the Code allows Council to place certain restrictions on a project that would lessen the impact the proposed project could have on traffic.

COUNCILMAN REESE voiced concerns regarding the adjacency standards relating to the proposed project and its location to the residents on Glen Heather Way. He feels a project that requires 1900 parking spaces will generate too much traffic for the area. He would not be in support of the item, stating that if he would not put a proposed project in his Ward, he would not vote to put it in another Ward.

MAYOR GOODMAN found the comments made suggesting the project is solely driven by greed to be inappropriate. He commended the doctors who own the property for being contributors to the community. In the capitalistic society we live in, when someone owns a piece of property, making money from it is natural and has nothing to do with greed. New construction in the area is not bad; it shows support and belief in the community.

ATTORNEY LAZOVICH was informed by MAYOR GOODMAN that his primary concern would be traffic and that would guide his judgment. He reiterated his concern about trying to turn from Sahara north onto Rancho Drive because he personally experiences that issue on a weekly basis.

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MINUTES Continued:

MAYOR GOODMAN informed staff that he respected their opinion and hoped his comments had not been taken personally because that was not the intent. MAYOR GOODMAN would like to see traffic studies completed and approved prior to being heard by Council as it leaves the Council at a disadvantage to have to guess about the impact a development will have. MAYOR GOODMAN stated he is too concerned about public safety to support this proposal knowing the traffic situation in the area.

DEPUTY CITY ATTORNEY SCOTT and COUNCILMAN BROWN discussed a policy statement being generated regarding traffic studies for projects being approved before Council hears the item. COUNCILMAN BROWN thinks that would be an improvement over the current system because having to vote without a completed study puts the Council at a disadvantage.

MR. ANDERSON told MAYOR GOODMAN he had not taken the MAYOR'S comments personally. He referenced Title 18 in order to explain that a traffic study can only be required prior to the submittal of construction drawings. Staff is limited because prior to the timeframe given in the requirement, staff can only recommend the study be completed. He suggested that even if studies were completed prior to being heard by Council, the study deals with volume levels of service and not the quality of life issues that the Council would still have to examine.

MR. HORTON discussed two items approved at the Planning Commission. The first was a northern driveway that would be maintained and second, a bus stop turn out that was going to be relocated but is now going to remain at the current location. MAYOR GOODMAN verified it was a turn out so that the bus activity would not impede traffic.

COUNCILMAN MACK indicated that he had spoken with COUNCILWOMAN MONCRIEF about his concerns with the traffic study. He questioned if within the traffic study, the 1900 parking spaces resulted in 20,000 trips. MR. HORTON explained that the ITE manual defined trips by the type of development so the trips in this study are significantly lower than that for the project. COUNCILMAN MACK confirmed with MR. ANDERSON that should the item be approved, it would be on the condition that the traffic study is approved, and staff would make the determination regarding the conditions being met.

COUNCILMAN BROWN acknowledged that traffic studies do not evaluate quality of life issues, just vehicle numbers and levels of service. However, the quality of life component cannot be neglected, and he suggested that should be evaluated as well.

MAYOR GOODMAN asked if the cars that will be housed in the 1900 space garage would all come and go at the same time or if the traffic would be sporadic. MR. HORTON said that based on uses allowed by the zoning, there would be morning peak hours of 7:00 a.m. to 9:00 a.m., and evening peak hours of 4:00 p.m. to 6:00 p.m., as well as lunch traffic generated by the restaurants

CITY COUNCIL MEETING OF JUNE 2, 2004
Neighborhood Services Department
Item 71 – ZON-4082

MINUTES Continued:

and sporadic traffic due to medical appointments throughout the day. He indicated the master plan would be self-contained.

MARGO WHEELER, Deputy Director, Planning and Development, referenced the Planning Commission items MR. HORTON clarified earlier. In reference to the bus stop, there was no condition or item dropped. The discussion regarding the bus stop turn out was simply discussion. Regarding the northern driveway, the traffic engineer changed it to allow flexibility, but nothing specific was approved. And, finally, the only reason part of the lots are being rezoned is to bring the three existing zoning designations on the parcels into one.

COUNCILWOMAN MONCRIEF questioned where the traffic would go when exiting from the driveway on Rancho Drive 240 feet from Sahara Avenue. MR. ANDERSON explained all traffic would turn right because there is a median there. MR. ANDERSON pointed out that it is possible for the restaurant traffic to travel north within the proposed development so the exit with the proposed streetlight could be used to turn left.

COUNCILWOMAN MONCRIEF explained she was initially very excited about this project. She had met with the applicants and was happy they were willing to redevelop within a mature neighborhood. After watching and listening to the neighbors speak against the project, she had changed her mind. The traffic flow would be unbearable should this project be built. She stated she is not against rezoning the land to have it designated properly. She feels a building as big as this proposal with 1900 parking spaces is too large for the area. She expressed hope that the physicians who own the property will try to bring back a project more compatible for the property. She also acknowledged the neighbors are not against development of the land, just not on such a large scale.

MAYOR GOODMAN declared the Public Hearing closed on Item 71 [ZON-4082], Item 72 [VAR-4251], Item 73 [SDR-4086], Item 74 [SUP-4089] and Item 75 [SUP-4090].

(1:15 – 2:51)

3-293

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards

CITY COUNCIL MEETING OF JUNE 2, 2004
Neighborhood Services Department
Item 71 – ZON-4082

CONDITIONS Continued:

concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

4. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, or compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site. Public Works notes that a traffic signal may be warranted at the entry drive into this commercial site. If such traffic signal is required, it shall be funded completely by the developer of this site. Public Works notes that an additional driveway on Rancho Drive may be required.
5. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

NOT TO BE HEARD BEFORE 1:00 P.M. - ABEYANCE ITEM - VARIANCE RELATED TO ZON-4082 - PUBLIC HEARING - VAR-4251 – APPLICANT/OWNER: SAHARA RANCHO OFFICE CENTER, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW BUILDING HEIGHTS TO EXCEED THE RESIDENTIAL ADJACENCY STANDARDS on 15.33 acres adjacent to the northeast corner of Sahara Avenue and Rancho Drive (APN: 162-04-401-007), R-3 (Medium Density Residential), P-R (Professional Office and Parking), and C-1 (Limited Commercial) Zones [PROPOSED: C-1 (Limited Commercial)], Ward 1 (Moncrief). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

3

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest petition with 28 signatures filed under Item 71 [ZON-4082]
5. Submitted after final agenda – Protest letter from Roderick and Virginia Garrison filed under Item 71 [ZON-4082]

MOTION:

MONCRIEF – DENIED – UNANIMOUS with Ward 2 seat vacant

MINUTES:

NOTE: See Item 71 [ZON-4082] for discussion.

(1:15 – 2:51)

3-293

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

NOT TO BE HEARD BEFORE 1:00 P.M. - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4082 AND VAR-4251 - PUBLIC HEARING - SDR-4086 - APPLICANT/OWNER: SAHARA RANCHO OFFICE CENTER, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR TWO OFFICE BUILDINGS WITH ATTACHED PARKING GARAGES AND TWO RESTAURANT BUILDINGS WITHIN AN EXISTING OFFICE COMPLEX AND A WAIVER OF THE COMMERCIAL DEVELOPMENT STANDARDS on 15.33 acres adjacent to the northeast corner of Sahara Avenue and Rancho Drive (APN: 162-04-401-007), R-3 (Medium Density Residential), P-R (Professional Office and Parking), and C-1 (Limited Commercial) Zones [PROPOSED: C-1 (Limited Commercial)], Ward 1 (Moncrief). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest petition with 28 signatures filed under Item 71 [ZON-4082]
5. Submitted after final agenda – Protest letter from Roderick and Virginia Garrison filed under Item 71 [ZON-4082]

MOTION:

MONCRIEF – DENIED – UNANIMOUS with Ward 2 seat vacant

MINUTES:

NOTE: See Item 71 [ZON-4082] for discussion.

(1:15 – 2:51)

3-293

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

NOT TO BE HEARD BEFORE 1:00 P.M. - ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO ZON-4082, VAR-4251 AND SDR-4086 - PUBLIC HEARING - SUP-4089 – APPLICANT/OWNER: SAHARA RANCHO OFFICE CENTER, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR adjacent to the northeast corner of Sahara Avenue and Rancho Drive (a portion of APN: 162-04-401-007), R-3 (Medium Density Residential), P-R (Professional Office and Parking), and C-1 (Limited Commercial) Zones [PROPOSED: C-1 (Limited Commercial)], Ward 1 (Moncrief). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest petition with 28 signatures filed under Item 71 [ZON-4082]
5. Submitted after final agenda – Protest letter from Roderick and Virginia Garrison filed under Item 71 [ZON-4082]

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with Ward 2 seat vacant

MINUTES:

NOTE: See Item 71 [ZON-4082] for discussion.

(1:15 – 2:51)

3-293

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Restaurant Service Bar.

CITY COUNCIL MEETING OF JUNE 2, 2004
Neighborhood Services Department
Item 74 – SUP-4089

CONDITIONS:

2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Approval of a Rezoning (ZON-4082) and Site Development Plan Review (SDR-4086) by the Planning Commission and City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

NOT TO BE HEARD BEFORE 1:00 P.M. - ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO ZON-4082, VAR-4251, SDR-4086 AND SUP-4089 - PUBLIC HEARING - SUP-4090 - APPLICANT/OWNER: SAHARA RANCHO OFFICE CENTER, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR adjacent to the northeast corner of Sahara Avenue and Rancho Drive (a portion of APN: 162-04-401-007), R-3 (Medium Density Residential), P-R (Professional Office and Parking), and C-1 (Limited Commercial) Zones [PROPOSED: C-1 (Limited Commercial)], Ward 1 (Moncrief). The Planning Commission (4-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Protest petition with 28 signatures filed under Item 71 [ZON-4082]
5. Submitted after final agenda – Protest letter from Roderick and Virginia Garrison filed under Item 71 [ZON-4082]

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with Ward 2 seat vacant

MINUTES:

NOTE: See Item 71 [ZON-4082] for discussion.

(1:15 – 2:51)

3-293

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Restaurant Service Bar.

CITY COUNCIL MEETING OF JUNE 2, 2004
Neighborhood Services Department
Item 75 – SUP-4090

CONDITIONS Continued:

2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. Approval of a Rezoning (ZON-4082) and Site Development Plan Review (SDR-4086) by the Planning Commission and City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

APPEAL OF DIRECTOR'S BUSINESS - **DIR-4421** - **APPLICANT/OWNER: BAR-K REALTY** - Appeal of Director's decision per Title 19.00.070.F to deny the application of a Special Use Permit for a proposed Off-Premise Advertising (Billboard) Sign at 2007 Paradise Road (APN: 162-03-413-005) for failure to comply with Title 19.14.100, Ward 3 (Reese). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
 City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Appeal letter from Kay Rodriguez
5. Submitted After Final Agenda – Abeyance request letter from Roy Woofter
6. Submitted at City Council – City Attorney's Office Opinion filed under Item 68

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 76 [DIR-4421] to 7/7/2004 and Item 79 [SUP-3394] to 7/21/2004 and to STRIKE Item 69 [15 West Owens Avenue] – UNANIMOUS with GOODMAN abstaining on the abeyance vote for Item 76 [DIR-4421] and Item 79 [SUP-3394] and Ward 2 seat vacant

MINUTES:

DEPUTY CITY ATTORNEY BRYAN SCOTT reminded MAYOR GOODMAN that there was an opinion rendered regarding Item 76 [DIR-4421] and Item 79 [SUP-3394]. MAYOR GOODMAN disclosed that a potential conflict exists as his law firm is negotiating with certain billboard companies. MAYOR GOODMAN gave a copy of the opinion to the City Clerk to incorporate into the record and stated he would be abstaining from voting on these two Items.

(1:11 – 1:12)

3-219

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - **SD-0062-00** -
APPLICANT: BAUGHMAN & TURNER, INC. – OWNER: RONALD AND LYNN
FOGLIA - Request for a Site Development Plan Review and a Waiver of Landscaping
Requirements FOR A 2,580 SQUARE FOOT OFFICE BUILDING on 0.21 acres located on the
north side of Transverse Drive, approximately 160 feet west of Jones Boulevard (APN: 163-01-
101-008), R-E (Residence Estates) Zone under Resolution of Intent to O (Office), Ward 1
(Moncrief). Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MONCRIEF – APPROVED subject to conditions – UNANIMOUS with Ward 2 seat vacant

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DAVID TURNER, Baughman and Turner, appeared on behalf of applicant, concurred with staff recommendations and requested approval of the revised site plan, which reflected conformance with the approved setback requirements in the front and a 3-foot landscape planter along the westerly property line with low profile landscaping. COUNCILWOMAN MONCRIEF thanked MR. TURNER for speaking with her about the project. She confirmed with MR. TURNER the total number of parking places would be fifteen.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:51 – 2:53)

4-545

CITY COUNCIL MEETING OF JUNE 2, 2004
Planning & Development Department
Item 77 – SD-0062-00

CONDITIONS:

Planning and Development

1. Submit for staff review a revised site plan indicating conformance to the approved Conditions for V-0005-00 which required the building be moved to the north to provide a minimum front yard setback of 8 feet-9 inches and a rear yard setback of 12 feet.
2. Submit for staff review a revised site plan indicating conformance to the site plan approved for V-0005-00 which required that the driveway adjacent to the west side of the building be reduced to 12 feet, and to provide a five foot wide landscape planter along the west property line with 24 inch box trees placed 30 feet on center.
3. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed buildings. Lighting standards within the parking lots shall be no more than 15 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.
4. All exterior lighting shall meet the standards of Title 19.08.060(C).
5. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission and shall be permanently maintained in a satisfactory manner.

Public Works

7. Construct all incomplete half-street improvements on Transverse Drive adjacent to this site concurrent with development of this site.
8. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
9. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements adjacent to this site,

CITY COUNCIL MEETING OF JUNE 2, 2004
Planning & Development Department
Item 77 – SD-0062-00

CONDITIONS:

if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: JUNE 2, 2004****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - **VAR-3902** -
APPLICANT/OWNER: RICHARD AND JILL BURNS - Appeal filed by the applicant from the Denial by the Planning Commission of a request for a Variance TO ALLOW 25 FOOT FRONT SETBACKS WHERE 30 FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW 25 FOOT REAR SETBACKS WHERE 35 FEET IS THE MINIMUM SETBACK REQUIRED on 9.46 acres on the northwest corner of Maggie Avenue and Coke Street (APN: 125-09-501-002), R-E (Residence Estates) Zone, Ward 6 (Mack). The Planning Commission (5-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

5

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

12

RECOMMENDATION:

The Planning Commission (5-1 vote) and staff recommend DENIAL. If Approved, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal Letter filed by Andras F. Babero

MOTION:

MACK – ABEYANCE to 6/16/2004 – UNANIMOUS with MONCRIEF excused and Ward 2 seat vacant

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY ANDRAS F. BABERO, 6741 West Alexander Road, appeared on behalf of applicant and explained the variance request for the front and back setbacks was due to a 20-foot drainage easement being added subsequent to submittal of the Tentative Map. The easement, on both the north and west sides, affected the lots. At the Council meeting of May 19, 2004, he had requested an abeyance to allow time to meet with the neighbors. The meeting took place, and ATTORNEY BABERO outlined a few items of concern. He pointed out that there were residents in the audience who would like to speak as well.

CITY COUNCIL MEETING OF JUNE 2, 2004
Planning & Development Department
Item 78 – VAR-3902

MINUTES Continued:

The first issue at the neighborhood meeting related to streetlights on Maggie Avenue. Staff had required the streetlights; however, the residents strongly opposed the idea because it has been designated a Rural Preservation Neighborhood covered by NRS 278. ATTORNEY BABERO asked that the condition concerning the streetlight requirement be removed. He also informed Council that there was a similar issue relating to an unwanted sidewalk along Maggie Avenue. He felt it best to replace the 5-foot sidewalk along Maggie Avenue with a 5-foot planter.

The next issue was in regard to a drop between the subject property and an adjacent property with reported elevations varying from six-inches to nine-feet. ATTORNEY BABERO explained the property has already been laid out, approved and plotted. Although the property owner is asking for an 18-inch drop, it would not be possible.

He added that the developer has volunteered to improve a horse trail near Floyd Lamb Park and adjacent to the north side of the subject property. The trail is located north of the easement on the northern boundary of the property. ATTORNEY BABERO stated the variance would only affect individuals who purchase lots, not any property owners or residents outside of the project. He said all lots have been reserved and all prospective buyers have been made aware of the easement.

RON THOMAS, 7745 Maggie Avenue, stated a meeting was held, which included the developer and members of staff, which was a good start, but there were still items to address. He mentioned the proposed development was much denser than the surrounding area, but he felt that this concern was addressed at the meeting. He said he did not know the developer was going to improve the horse trail until he heard ATTORNEY BABERO say so minutes earlier. He showed photos of a trailside rest that the neighbors had built and explained it was the only way into the park for horse riders unless they used the vehicle entrance. He pointed out that right next to the horse trail is the drainage easement, and he felt it was a safety hazard. He suggested the problem could be mitigated with the installation of a fence, but he had not heard mention of that.

MITCH TAYLOR, 7670 Brent Lane, read a statement voicing his concerns about the variance. He stated the developer is requesting the variance because they need it for proper sewer and water drainage. MR. TAYLOR feels the developer is requesting the variance because the developer has already pre-sold homes that will not fit on the existing lots now that the easement is there. He objected to allowing two-story homes to be closer to the adjacent property lines on unrealistically elevated ground, which would eliminate the view of the existing 2½ acre residences. He indicated the development would diminish the property value of the existing properties, and the residents who complied with City guidelines when building their homes would be punished if this is approved.

MAYOR GOODMAN stated that COUNCILWOMAN MONCRIEF was excused as of 3:00 p.m. to attend a National League of Cities meeting.

CITY COUNCIL MEETING OF JUNE 2, 2004
Planning & Development Department
Item 78 – VAR-3902

MINUTES Continued:

BEVERLY COKE, 8325 Coke Street, explained that there were three easements on her property when she purchased it in 1968 and she had to build around them. She did not get a variance back then and does not think the City should grant one to the developer now. She suggested the developers make the homes smaller instead of requesting a variance.

ATTORNEY BABERO responded by saying the difference between MS. COKE'S building situation and this project is that when she purchased her property, the easements already existed. When the developer submitted the tentative map for this project, there was no drainage easement. It was added subsequent to the tentative map, and that is what is causing the issue requiring the variance.

Regarding the horse trail improvements, ATTORNEY BABERO stated improving the horse trail was discussed at the Planning Commission meeting and at the neighborhood meeting. He reiterated that the developer is taking on this responsibility without conditions to do so and that it would benefit the neighborhood. ATTORNEY BABERO believes there will be a fence put in adjacent to the easement for the riders to differentiate the trail from the easement.

Addressing MR. TAYLOR's comments, ATTORNEY BABERO explained that the variance is required so the houses will not be built next to the property lines. In keeping with NRS 278 and the zoning that was in place, the developer has kept to two homes per acre. ATTORNEY BABERO pointed out that the developer is not asking for a variance for multifamily or up to four homes per acre; the request is only for a variance on the setback requirements.

Finally, in regard to how the property terraces, ATTORNEY BABERO admitted to not knowing the exact measurement. He has been told from six inches to nine feet. He did recognize that flood control staff said the proposed height is what would be best for this project, and he would accept their recommendation.

COUNCILMAN MACK thanked the applicant for working with staff in regard to the Rural Preservation Neighborhood designation. He acknowledged the residents not wanting the streetlights and sidewalks on Maggie Avenue. He explained that it is a difficult application. COUNTY COMMISSIONER MAXFIELD called and asked COUNCILMAN MACK to hold the item in abeyance and requested the applicant meet with him to discuss the trail issue and the project in general.

(2:53 – 3:10)

4-586

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - SUP-3394 - LAS VEGAS BILLBOARDS ON BEHALF OF WEST SAHARA ASSOCIATES, LIMITED PARTNERSHIP - Appeal filed by LAS Consulting, Inc. from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN adjacent to the northeast corner of Torrey Pines Drive and Sahara Avenue (APN: 163-02-816-001), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief). The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

3

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter submitted by LAS Consulting, Inc.
5. Submitted after final agenda – Letter from Attorney Jay Brown requesting abeyance
6. Submitted at City Council – City Attorney's Opinion filed under Item 68

MOTION:

REESE – Motion to HOLD IN ABEYANCE Item 76 [DIR-4421] to 7/7/2004 and Item 79 [SUP-3394] to 7/21/2004 and to STRIKE Item 69 [15 West Owens Avenue]
– UNANIMOUS with GOODMAN abstaining on the abeyance vote for Item 76 [DIR-4421] and Item 79 [SUP-3394] and Ward 2 seat vacant

MINUTES:

DEPUTY CITY ATTORNEY BRYAN SCOTT reminded MAYOR GOODMAN that there was an opinion rendered regarding Item 76 [DIR-4421] and Item 79 [SUP-3394]. MAYOR GOODMAN disclosed that a potential conflict exists as his law firm is negotiating with certain billboard companies. MAYOR GOODMAN gave a copy of the opinion to the City Clerk to incorporate into the record and stated he would be abstaining from voting on these two Items.

(1:11 – 1:12)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

DB 2110 MARLIN AVENUE, DB 15 WEST OWENS AVENUE, NL 4200 WEST SAHARA AVENUE, MSH-4197, SUP-4120, SUP-4137, SUP-4140, SUP-4168, SUP-4169, SUP-4172, SUP-4176, SUP-4180, SUP-4189, SUP-4195, SUP-4201, SUP-4203, SUP-4233, VAC-4098, VAC-4104, VAC-4158, VAC-4221, VAR-4193, VAR-4223 and VAR-4340 – 6/16/2004 Agenda

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS ☐ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

ADDENDUM:

None.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: JUNE 2, 2004

CITIZENS PARTICIPATION:

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.

MINUTES:

DAN CONTRERAS, Bonanza Village, referenced MAYOR GOODMAN's press conference and asked if he could get an update on the Martin Luther King widening project. MAYOR GOODMAN responded that he still was not clear but has been told that it will come around Costco and head over the freeway. The railroad tracks will then come down around Industrial and Oakey. MR. CONTRERAS said that during the neighborhood meeting, they were shown the portion from Bonanza to the post office. His concern was that the landscaping in the City portion would not match the landscaping being installed in the North Las Vegas portion. He said staff told him that there would be less landscaping due to the drought. MR. CONTRERAS feels the City should match or exceed the North Las Vegas landscaping and use drought tolerant plants. He also stated that the business owners in the area want to be involved with projects such as the widening of the I-95 freeway. The public is invited to discuss and contribute to projects, yet business owners feel excluded. He submitted a petition called Information Requirements for Expanding Martin Luther King Blvd., which contained ninety-eight signatures.

He also showed a photo of the entrance to the Rancho/Alta Neighborhood. At the meeting, it was agreed that residents would like to see some form of tribute to Martin Luther King as drivers from North Las Vegas enter into Las Vegas at Carey and Martin Luther King Boulevard.

(3:11 – 3:15)

4-1206

JEROME LEWIS, 1340 Sharon, agreed with the comments of MR. CONTRERAS, adding that he would like to see his side of town receive the same benefits being giving to other parts of the City. He commended the City's work on the Alta road improvements and landscaping. He feels it would be a shame not to have input when the City starts improvements in his neighborhood.

(3:15 – 3:15)

4-1361

BEATRICE TURNER, West Las Vegas Resident, stated that Bonanza Village is sitting on water wells, and if water is the only reason they cannot get landscaping on their portion of the Martin Luther King widening project, it can be taken from those wells. She agreed with the two previous speakers that the business owners should be included in project planning for their area.

City of Las Vegas

CITY COUNCIL MEETING OF JUNE 2, 2004 Citizen Participation

MINUTES – Continued:

She also commented on the poor state of the walking track in Doolittle Park. MS. TURNER walks elderly people on that track and is concerned about them tripping or catching their canes or walkers in potholes. She was told there was no funding for repairs at this time; however, she feels it is a hazard that must be addressed regardless of funding.

(3:15 – 3:18)

4-1387

TOM McGOWAN, Las Vegas Resident, submitted a written statement and discussed a publication called Lambda's 2004 Preferred Directory of Gay and Lesbian Professional Associates of Southern Nevada and also the 15-foot martini glass neon sign from the Red Barn, which is on display on the Fremont Street Experience. He discussed events relating to his submittals regarding ideas for the Centennial Celebration and his unhappiness over what he sees as a lack of response from the Centennial Celebration Committee. He requested all 67 copies he submitted be returned to him with a letter of apology by June 3, 2004 at 5:00 p.m. He suggested legal action might be sought if his submittals were not returned.

(3:18 – 3:22)

4-1504

STEVEN "CAPTAIN TRUTH" DEMPSEY, brought brochures for both MAYOR GOODMAN and COUNCILMAN BROWN regarding a Meegan Bed and gave MAYOR GOODMAN a copy of Gaming Today. He also brought the latest edition of Inside Vegas for the Council to look over. He read from a rough draft of a Notice and Demand regarding discrimination against the owner of the GT Mini Market located at 632 H Street and informed COUNCILMAN WEEKLY he would be serving the City shortly.

(3:22 – 3:27)

4-1730

MEETING ADJOURNED AT 3:27 P.M.